

The Chair announced that as the Senate was full, action was upon the final passage of Senate bill 247 (see caption above).

Pending action,

Senator Lewis moved to suspend regular order and take up

Senate bill No. 314, a bill to be entitled "An act to authorize the State of Texas to institute condemnation proceedings, condemning lands for the purpose of erecting or maintaining penitentiaries thereon, or other public buildings necessary for the transaction of public business."

Lost.

Senator Steele moved to postpone further action on Senate bill No. 247 (see caption above), till Monday next.

Senator Sherrill moved the previous question upon the motion and the bill, which was seconded, and pending action.

Senator Beall made the point that a motion for the previous question on a motion to postpone was not in order.

Sustained.

Pending further action,

Senator Steele moved to adjourn to 9:30 a. m. Monday.

Adjourned by the following vote:

Yeas—14.

Atlee,	Gage,
Beall,	Goss.
Boren,	Harrison,
Bowser,	Lawhon,
Colquitt,	Smith,
Darwin,	Steele,
Dibrell,	Woods.

Nays—12.

Bailey,	Rogers,
Dean,	Shelburne,
Greer,	Sherrill,
Lasker,	Simpson,
Lewis,	Tips,
Presler,	Whitaker.

Absent, excused.

Agnew,	McKinney,
Dickson,	Stafford.
McComb,	

NINETIETH DAY.

Senate Chamber,
Austin, Texas, April 29, 1895.

Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew,	Lasker,
Atlee,	Lewis,
Beall,	Presler,
Boren,	Rogers,
Bowser,	Shelburne,
Colquitt,	Sherrill,
Darwin,	Simpson,
Dean,	Smith,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	McComb.
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Prayer by Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Sherrill, the same was suspended.

On motion of Senator Dibrell, Committee Clerk Cox was excused for March 27, 28 and 30, on account of sickness in his family.

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your committee on finance, to whom was referred

House bill No. 450, a bill to be entitled "An act to amend an act entitled 'An act to amend article 4724, chapter 3, title 95 of the Revised Civil Statutes, to fix and equalize the compensation of assessors of taxes.' approved March 28, 1883,

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that it be not printed.

TIPS, Chairman.

Committee Room,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

House bill No. 394, a bill to be entitled "An act to provide for the issuance and sale of the bonds of the State to supply deficiencies in the revenue and provide the manner of the sale of said bonds,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

TIPS, Chairman.

Committee Room,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Finance, to whom was referred

House bill No. 270, a bill to be entitled "An act to provide for the levy and collection of an annual ad valorem State tax for general revenue purposes of twenty cents on the one hundred dollars valuation,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and that the bill be not printed, all of which is respectfully submitted.

TIPS, Chairman.

MINORITY REPORT.

Committee Room,
Austin, Texas, April 29, 1895.

The undersigned members of the Finance Committee, believing that an ad valorem tax of 20 cents is not sufficient to pay off the deficiency and carry on the current expenses of the Government for the next two years, submit the following statement in support of their views on the subject:

Comptroller's estimates of receipts from all sources (less expenses) at 25 cents.....	\$2,661,209 50
Estimated receipts from Colquitt tax bill.....	75,000 00
Estimated receipts from merchants' occupation tax.....	60,000 00
Other revenue bills passed this session.....	25,000 00
Cash on hand.....	100,000 00

Total from all sources.. \$2,921,209 50

Disbursements (estimated).

General appropriations ..	\$2,300,000 00
Deficiency appropriation bill	200,000 00
Cash balance needed to meet expenditures from April 1, 1896 until taxes are collected.....	500,000 00

Total..... \$3,000,000 00

This cash balance of \$500,000 is not a surplus, but is necessary to pay the expenses and carry on the government until the taxes are collected.

To fix the rate of ad valorem tax at twenty cents would reduce the above amount of receipts in the sum of \$432,500, and the next Legislature would again be called to meet a deficiency.

These statements they believe to be approximately correct.

They do not believe it wise statesmanship to increase taxation on the one hand, yet at the same time leave deficiencies unprovided for. They believe the true policy of the government is to get on a cash basis as soon as possible, and to that end they recommend that this bill be so amended as to levy an ad valorem tax of twenty-five cents upon the one hundred dollars for the year 1895, and a twenty cent tax for each succeeding year thereafter, which they believe will, with strict economy, be sufficient to accomplish that end.

TIPS,
SIMPSON,
BOWSER,
BEALL,
WOODS,
LASKER,
PRESLER.

Call concluded.

HOUSE MESSAGE.

Hall House of Representatives,
Austin, Texas, April 27, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to-wit:

Senate bill No. 257, being "An act to attach Gray county to Roberts county for judicial purposes."

House bill No. 740, a bill to be entitled "An act to grant S. M. Leary, N. Gusset, E. A. McCampbell and D. Reid, comprising the Corpus Christi Water Supply Company, the right to construct a dam across the Nueces river."

Senate bill No. 184, "An act to amend section 1, chapter 106, acts of the Twenty-second Legislature, as approved 13th day of April, 1891, entitled 'An act to amend section 1 of chapter 79 of an act passed at the regular session of the Twenty-first Legislature, approved April 4, 1889, entitled An act to authorize counties to fund their indebtedness and to provide means to pay same.'"

Senate bill No. 300, "An act to amend sections 4b and 203 of an act incorporating the city of San Antonio, approved August 13, 1870, and of the acts amendatory thereof, passed by the Twenty-second Legislature, being chapter 24 of said acts, and to add sections 203a and 203b thereto."

Senate bill No. 101, "An act to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, or either of them, and to prescribe a rule of evidence as to such relationship, and to

further prescribe their duties and liabilities."

With House amendments.

Also, that the House has adopted the following concurrent resolution to-wit:

House concurrent resolution No. 37:

Resolved by the House of Representatives, the Senate concurring, That the Twenty-fourth Legislature stand adjourned sine die on Tuesday, April 30, 1895, at 12 o'clock noon.

Also, that the House has refused to concur in Senate amendments to House concurrent resolution No. 22, and asks for free conference committee on same. Messrs. Smith of Brazos, McLemore, Martin of Coryell, Lillard, and Radford have been appointed on said committee on part of House.

Respectfully,

CHESTER HAILE,

Chief Clerk House of Representatives.

On motion of Senator Harrison, regular order of business was suspended to take up

House bill No. 677, a bill to be entitled "An act to amend an act to designate what counties shall compose the Twenty-ninth Judicial District of the State of Texas, to fix the time of holding courts therein, approved March 30, 1887, at the regular session of the Twentieth Legislature, amended February 15, 1889, March 5, 1889, amended by the acts of the regular session of the Twenty-third Legislature, approved April 26, 1893," so that the same shall hereafter read as follows."

Bill read second time, and passed to third reading.

On motion of Senator Harrison, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—24.

Agnew,	Lewis,
Atlee,	Presler,
Beall,	Rogers,
Bowser,	Shelburne,
Colquitt,	Sherrill,
Darwin,	Simpson,
Dean,	Smith,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

42—Senate.

Absent, not excused.

Bailey,	Lasker.
Boren,	McComb.

Bill read third time, and passed by the following vote:

Yeas—23.

Agnew,	Lewis,
Atlee,	Presler,
Beall,	Shelburne,
Bowser,	Sherrill,
Colquitt,	Simpson,
Darwin,	Smith,
Dean,	Stafford,
Dibrell,	Steele,
Gage,	Tips,
Goss,	Whitaker,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	McComb,
Boren,	Rogers.
Lasker,	

On motion of Senator Sherrill, regular order of business was suspended to take up

House bill No. 635, a bill to be entitled "An act to enable the mayor and city council of any city or town to discontinue by ordinance uninhabited territory as a part of any city or town."

Bill read second time, and passed to third reading.

On motion of Senator Sherrill, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage, by the following vote:

Yeas—22.

Agnew,	Lewis,
Atlee,	Presler,
Beall,	Shelburne,
Boren,	Sherrill,
Bowser,	Simpson,
Colquitt,	Smith,
Darwin,	Stafford,
Dean,	Steele,
Dibrell,	Tips,
Gage,	Whitaker,
Greer,	Woods.

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	Lasker,
Goss,	McComb,
Harrison,	Rogers.

Bill read third time and passed.

Senator Steele entered a motion to reconsider the vote by which the Senate concurred in House amendments to

Senate bill No. 171, a bill to be entitled "An act to amend articles 423, 424, 425, 426, 427, 428, 429 of the Penal Code of the State of Texas, and the several acts of the Legislature amendatory thereof, and adding 425a, 425b, 425c, 426a, 428a, 429a, 429b, 429c, 429d, 429e, 429f, 429g, 429h, 429i, 429j, amending the general game law, and to repeal all laws and parts of laws in conflict herewith."

Senator Tips sent up the following free conference committee report and moved its adoption:

Committee Room,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House:

Your free conference committee, to whom was referred

Substitute house bills Nos. 125 and 138, entitled "An act making appropriations for the State government for the years beginning March 1, 1895, to February 28, 1897, and for other purposes,"

Have carefully considered and adjusted said differences and recommend that the Senate recede from its amendment substituting section 1 of substitute Senate bill No. 78 for section 1 of the House bill and recommend in lieu thereof the adoption of the following amendments to said substitute House bills Nos. 125 and 138:

EXECUTIVE OFFICE—HOUSE.

1. Amend line 5, page 1, by striking out \$360 wherever it appears and insert in lieu thereof \$420.

2. Amend line 11, page 1, by striking out \$600 wherever it appears and insert in lieu thereof \$500.

3. Amend line 21, page 1, by adding after the word "Governor" the words "to be expended within two years."

MANSION AND GROUNDS.

4. Amend by striking out lines 1 to 6, pages 1 and 2, House bill and insert in lieu thereof lines 16 to 18, page 1, of Senate bill.

5. Amend by striking out line 7, page 2, and insert in lieu thereof lines 1 and 2, page 2, of Senate bill,

STATE DEPARTMENT.

6. Amend by inserting after the word "clerks" in line 3, page 2, the words "\$1200 each."

7. Amend line 9, page 2, by striking out \$100 wherever it appears and inserting \$50 in lieu thereof.

TREASURY DEPARTMENT.

8. Amend by striking out lines 10 and 11, page 2, and inserting in lieu thereof lines 24 to 27, page 2, of Senate bill.

8a. Amend by adding between lines 11 and 12, page 2, "salary of one clerk for March and April, 1895, \$200." (first col.)

9. Amend by adding after line 49, page 3, lines 31 to 37, page 3, of Senate bill.

10. Amend by striking out lines 22 to 33, pages 2 and 3, and inserting in lieu thereof the following: To refund to purchasers of public domain the purchase money paid by them into the State treasury for lands for which they have been unable to acquire title for reasons mentioned in chapter 111, laws of 1893, and as amended by House bill No. 358 of the Twenty-fourth Legislature. And to refund taxes as provided in said House bill No. 358 (said taxes and purchase money to be refunded out of the respective funds to which they may have been deposited), to be expended within two years \$10,000 (for the year ending February 28, 1896).

11. Amend by inserting in line 34, page 3, after the words "lessees of" the words "public domain."

12. Amend by inserting in line 40, page 3, after "CXI" the words "as amended by act of Twenty-fourth Legislature in House bill No. 358."

COMPTROLLER'S DEPARTMENT.

13. Amend by striking out in line 8, page 3, \$1300 wherever it appears and inserting \$1200 in lieu thereof.

14. Amend by striking out in line 9, page 3, \$1200 wherever it appears and inserting in lieu thereof \$1000.

15. Amend by striking out in line 10, page 3, \$1300 wherever it appears and inserting in lieu thereof \$1400.

16. Amend by striking out in line 17, page 4, \$1400 wherever it appears and inserting in lieu thereof \$1300.

17. Amend by inserting in line 26, page 4, after the word "expenses," the words "to be expended within two years."

18. Amend in line 24, page 4, by inserting after the word "postage" the word "express."

ADJUTANT GENERAL'S OFFICE.

19. Amend in line 4, page 4, by striking out \$300 wherever it appears, and inserting in lieu thereof \$400.

20. Amend by inserting between lines 4 and 5, page 4, the following: "Incidental expenses, \$25 (for each year)."

DEPARTMENT OF AGRICULTURE, INSURANCE STATISTICS, AND HISTORY.

21. Amend by striking out in line 2, page 4, \$1600 wherever it appears, and inserting in lieu thereof \$1800.

22. Amend by striking out in line 4, page 4, \$1350 wherever it appears, and inserting in lieu thereof \$1200.

23. Amend by striking out line 7, page 5, and inserting in lieu thereof line 23, page 5 of Senate bill.

24. Amend by striking out in line 8, page 5, \$120 wherever it appears, and inserting in lieu thereof \$100.

25. Amend by striking out in line 13, page 5, \$1400 wherever it appears, and inserting in lieu thereof \$1000.

26. Amend by adding in line 14, page 5, after the word "cases" the words "to be expended in two years."

26a. Amend by adding after line 14, page 5, the following: "Salary of Geologist, \$2000 each year. Salary of Chemist at \$75 per month, \$300 for the first year, and \$600 for the second year. Traveling and field expenses, \$250 for each year."

GENERAL LAND OFFICE.

27. Amend by inserting in line 3, page 5, after the word "clerk" the words "and draftsman."

28. Amend by striking out in line 19, page 5, \$1500 wherever it appears and inserting in lieu thereof \$1600.

29. Amend by striking out in line 20, page 5, \$1200, and inserting in lieu thereof \$1400, and also by striking out \$7200 wherever it appears and inserting in lieu thereof \$8400.

30. Amend by inserting between lines 23 and 24, page 5, the following: "For salary of general expert draftsman and clerk, \$1400 (each year)."

31. Amend by striking out in line 32, page 6, the word "Buckleys" and insert in lieu thereof the word "Bucklers."

SCHOOL LAND DEPARTMENT.

32. Amend by inserting in line 3, page 6, between the words "two" and "lease" the word "assistant."

33. Amend by striking out in line 5, page 6, \$1080 wherever it appears and inserting in lieu thereof \$1200.

34. Amend by inserting after line 11, page 6, lines 10 to 20, page 7, of Senate bill, and also insert where \$5000 appears in the Senate bill \$4000 in lieu thereof.

35. Amend by inserting after the above amendment lines 21 to 25, page 7, of Senate bill.

36. Amend by inserting after the above amendment lines 26 to 33, page 7, of the Senate bill.

ATTORNEY-GENERAL'S OFFICE.

37. Amend line 9, page 6, by striking out \$1200 wherever it appears and inserting in lieu thereof \$1000.

38. Amend by striking out all of lines 10, 11 and 12, page 6, and inserting in lieu thereof the following: Stationery,

postage and telegraphing, \$500 each year.

39. Amend by striking out in line 13, page 6, \$250 wherever it appears, and inserting in lieu thereof \$200.

40. Amend line 14, page 6, by striking out \$500 wherever it appears and inserting in lieu thereof \$400.

PUBLIC PRINTING.

41. Amend by striking out, in line 3, page 6, \$20,000 and \$24,000 wherever they appear, and inserting in lieu thereof in each column for the years 1896 and 1897, \$21,000.

42. Amend in line 8, page 7, by striking out \$900 wherever it appears, and inserting in lieu thereof \$1400.

43. Amend in line 9, page 7, by striking out \$500 and inserting in lieu thereof \$300 wherever \$500 appears.

44. Amend in line 25, page 7, after the word "reports" by inserting "72 to 84 inclusive."

SUPREME COURT.

45. Amend line 2, page 7, by striking out \$2000 wherever it appears and inserting in lieu thereof \$2500.

45a. Amend by inserting between lines 4 and 5, page 7 of House bill, line 3, page 9 of Senate bill as amended.

JUDICIARY DEPARTMENT.

46. Amend in line 5, page 8, by striking out \$400,000 wherever it appears and inserting in lieu thereof \$375,000.

47. Amend by inserting between lines 14 and 15, page 8, lines 30 to 39, page 9, inclusive, of Senate bill.

48. Amend line 23, page 8, by striking same out.

49. Amend in line 42, page 9, by adding after the word "lands" "to be expended within two years."

COURT CRIMINAL APPEALS.

50. Amend in line 8, page 9, by striking out \$750 wherever it appears and inserting in lieu thereof \$500.

51. Amend in line 13, page 9, by striking out \$4000 wherever it appears and inserting in lieu thereof \$3000.

COURT CIVIL APPEALS—FIRST DISTRICT.

52. Amend line 2, page 9, by striking out same.

53. Amend in line 6, page 9, by striking out \$200 wherever it appears and inserting in lieu thereof \$150.

54. Amend after line 10, page 9, by inserting telephone and ice \$100 for each year.

55. Amend by striking out line 2, page 9.

56. Amend line 8, page 10, by striking out \$250 wherever it appears, and inserting in lieu thereof \$500.

57. Amend by striking out lines 10 and

11, page 10, and inserting in lieu thereof "contingent expenses, including fuel and lights, \$350 (for each year)."

COURT CIVIL APPEALS—THIRD DISTRICT.

58. Amend by striking out line 3, page 10.

COURT CIVIL APPEALS—FOURTH DISTRICT.

59. Amend by striking out line 2, page 10.

60. Amend in line 8, page 10, by striking out \$250 wherever it appears, and inserting in lieu thereof \$500.

61. Amend by striking out lines 10 and 11, page 10, and inserting line 26, page 11, of Senate bill as amended, in lieu thereof.

COURT CIVIL APPEALS—FIFTH DISTRICT.

62. Amend by striking out line 2, page 10.

63. Amend in line 10, page 10, by striking out \$100 wherever it appears, and inserting in lieu thereof \$200.

RAILROAD COMMISSION.

64. Amend in line 2, page 11, by striking out \$1600 wherever it appears, and inserting in lieu thereof \$1800.

65. Amend in line 4, page 11, by striking out \$2400 wherever it appears, and inserting in lieu thereof \$2700.

66. Amend in line 5, page 11, by striking out \$1200 wherever it appears, and inserting in lieu thereof \$1350.

67. Amend in line 6, page 11, by striking out \$2400 wherever it appears, and inserting in lieu thereof \$2700.

PUBLIC BUILDINGS AND GROUNDS.

68. Amend in line 2, page 11, by striking out \$1350 and inserting in lieu thereof \$1200.

69. Amend in line 7, page 11, by striking out the words "salary of extra watchman" and inserting in lieu thereof "for traveling expenses of Superintendent of Public Buildings and Grounds."

70. Amend in line 18, page 11, by striking out \$5000 and inserting in lieu thereof \$6000.

71. Amend by adding after line 19, page 11, the following "salary of one watchman for one month \$60." (First column.)

QUARANTINE DEPARTMENT.

72. Amend by striking out lines 1 and 2, page 12, and inserting in lieu thereof line 9, page 13, of Senate bill.

STATE LUNATIC ASYLUM AT AUSTIN.

73. Amend by inserting at the end of line 36, page 13, "including pay for members of the board at \$5 per month for attending meetings of board."

74. Amend in line 43, page 13, by striking out \$1000 and inserting in lieu thereof \$750.

75. Amend by adding after line 51, page 13, lines 7 to 23 inclusive, page 15, Senate bill.

NORTH TEXAS INSANE ASYLUM.

76. Amend line 9, page 13, by striking out \$900 and inserting in lieu thereof \$720.

77. Amend in line 10, page 13, by striking out \$600 and inserting in lieu thereof \$480.

78. Amend in line 11, page 13, by striking out \$600 and inserting in lieu thereof \$480.

78a. Amend in line 21, page 14, by striking out \$180 and inserting in lieu thereof \$600.

78b. Amend in line 22, page 14, by striking out \$240 and inserting in lieu thereof \$300.

79. Amend in line 27, page 14, by striking out \$300 wherever it appears and inserting in lieu thereof \$360.

80. Amend in line 28, page 14, by striking out the word "nine" and inserting in lieu thereof the word "eight;" also by striking out \$2160 and inserting in lieu thereof \$1920.

81. Amend in line 30, page 14, by striking out the word "seven" and inserting in lieu thereof the word "six;" also by striking out \$1680 and inserting \$1440 in lieu thereof.

82. Amend line 38, page 14, by inserting at the end thereof the words "including pay for members of board at \$5 per month for attending meetings of the board, and mileage."

83. Amend in line 40, page 14, by striking out \$1500 wherever it appears and inserting in lieu thereof \$1000.

84. Amend in line 41, page 14, by striking out \$15,000 and inserting in lieu thereof \$12,000.

85. Amend in line 44, page 14, by striking out \$400 wherever it appears and inserting in lieu thereof \$250.

86. Amend in line 45, page 14, by striking out \$50 wherever it appears and inserting in lieu thereof \$100.

86a. Amend in line 46, page 14, strike out \$50 and insert \$100.

87. Amend in line 49, page 14, by striking out \$4000 in each column and inserting \$6000 (in first column) to be used in two years.

88. Amend in line 50, page 14, by striking the same out.

89. Amend in line 54, page 14, by striking out \$600 wherever it appears and inserting in lieu thereof \$500.

90. Amend in line 58, page 14, by striking out \$4000 in first column and inserting \$1000 in lieu thereof.

91. Amend in line 59, page 14, by striking out \$250 wherever it appears and inserting in lieu thereof \$300.

92. Amend by inserting after line 60, page 14, "exhaust heater and pump" \$800 for first year.

93. Amend by adding to line 63, page 14, "to be used second year."

94. Amend by inserting in line 23, page 15, after the word "provisions" the words "including pay for members of the board at \$5 per month for attending meetings of the board and mileage."

BLIND ASYLUM.

95. Amend by striking out lines from 17 to 21, page 16, inclusive, and inserting lines 32 to 36, page 19, inclusive of the Senate bill in lieu thereof, as amended.

DEAF AND DUMB INSTITUTE.

96. Amend in line 32, page 17, by striking out \$1000 wherever it appears and inserting in lieu thereof \$900.

97. Amend by adding after line 36, page 17, "expert binder and teacher," at \$720 each year.

98. Amend in line 38, page 17, by striking out \$1000 wherever it appears and inserting in lieu thereof \$900.

99. Amend in line 41, page 17, by striking out \$20,000 and inserting in lieu thereof \$18,000.

100. Amend in line 43, page 17, by striking out the word "furnishing" and inserting in lieu thereof the word "furniture."

101. Amend in line 46a, page 17, by adding lines 3 to 10, page 21, of Senate bill inclusive.

STATE ORPHAN ASYLUM.

102. Amend by inserting above line 1, page 17, lines 1 to 5 of Senate bill, page 21.

103. Amend in line 2, page 17, by striking out \$500 wherever it appears and inserting in lieu thereof \$540.

104. Amend in line 15, page 18, by striking out \$400 wherever it appears and inserting in lieu thereof \$500.

105. Amend in line 17, page 18, by striking out \$500 wherever it appears and inserting in lieu thereof \$600.

106. Amend in line 19, page 18, by striking out \$150 wherever it appears and inserting in lieu thereof \$200.

107. Amend in line 22, page 18, by striking out \$150 wherever it appears and inserting in lieu thereof \$200.

108. Amend in line 27, page 18, by striking out \$840 and inserting in lieu thereof \$420 in each column.

DEAF AND DUMB INSTITUTE FOR COLORED YOUTHS.

109. Amend by inserting between lines 12 and 13, page 18, lines 24 and 25, page 22, of Senate bill.

110. Amend by striking out lines 19 to 21, page 18, and inserting in lieu thereof lines 33 to 36, page 22, of Senate bill.

DEPARTMENT OF EDUCATION.

111. Amend by striking out in line 16, page 19, the words "and for mileage."

112. Amend by striking out in line 16, page 19, \$1500 and inserting in lieu thereof \$1200.

113. Amend in line 20, page 19, by striking out \$2500 and inserting in lieu thereof \$2000.

114. Amend in line 23, page 19, by striking out \$1000 and inserting in lieu thereof \$750 in first column.

UNIVERSITY OF TEXAS.

115. Amend by striking out line 1, page 19, to line 12, page 20, inclusive, and inserting in lieu thereof lines 1 to 29, page 24, inclusive, of Senate bill as amended.

115a. Amend by inserting between lines 12 and 13, page 20, lines 30 to 32, page 24, Senate bill.

116. Amend by striking out lines 1 to 17, page 20, inclusive, and inserting in lieu thereof lines 2 and 2a, page 25 of Senate bill.

SAM HOUSTON NORMAL SCHOOL.

117. Amend in line 3, page 20, by striking out \$2000 in first column and inserting \$3000.

A. AND M. COLLEGE.

118. Amend by striking out line 7, page 20, and inserting in lieu thereof line 15, page 25 of Senate bill.

PRAIRIE VIEW NORMAL SCHOOL.

Industrial Department.

119. Amend in line 3, page 21, by striking out \$250 and inserting in lieu thereof \$350.

Permanent Improvements.

120. Amend by striking out in line 1, page 21, and inserting in lieu thereof lines 26 to 31, page 25, Senate bill.

121. Amend by inserting after "Prairie View Normal School" lines 6a and 7, page 26 of Senate bill (Live Stock Sanitary Commission).

TEXAS STATE PENITENTIARIES.

122. Amend by striking out in line 8, page 22, \$60,000, and inserting in lieu thereof \$40,000 in each column.

123. Amend by striking out in line 10, page 22, \$20,000, and inserting in lieu thereof \$18,000 in each column.

124. Amend by striking out lines 18 and 19, page 22.

125. Amend by inserting in line 18, page 22, lines 32, page 26, to 3, page 27, of Senate bill.

HOUSE OF CORRECTION AND REFORMATORY.

126. Amend by striking out line 13, page 22, and inserting in lieu thereof lines 18 to 23, page 27, of Senate bill.

127. Amend by striking out in line 15, page 22, \$200, and inserting in lieu thereof \$250.

128. Amend by striking out in line 16, page 22, \$300 in the second column, and inserting in lieu thereof \$200.

129. Amend by striking out in line 17, page 22, \$250 in second column, and inserting in lieu thereof \$200.

130. Amend by striking out from line 23, page 22, to line 39, page 24, and inserting in lieu thereof the following:

"For the purchase of lands and erection of buildings for the use and occupancy of colored youths, \$25,000 (in first column), said purchase to be made by three commissioners appointed by the Governor, and shall be subject to the approval of the Governor and Attorney General; provided, that no one of the said commissioners shall be a resident of Coryell county."

CONFEDERATE HOME.

131. Amend by striking out lines 1 to 2, page 24, and inserting in lieu thereof lines 16 to 21, page 29 of Senate bill as amended.

132. Amend by striking out in line 3, page 24, \$400 and inserting in lieu thereof \$600.

133. Amend by striking out in line 4, page 24, \$500 and inserting in lieu thereof \$600.

134. Amend by striking out line 5, page 24.

135. Amend by striking out line 6, page 24.

136. Amend by striking out in line 8, page 24, \$300 and inserting in lieu thereof \$240.

137. Amend by striking out in line 13, page 24, \$120 and inserting in lieu thereof \$180.

138. Amend by striking out line 15, page 24.

140. Amend by inserting in line 15, page 24, line 35, page 29 of Senate bill.

141. Amend by striking out line 16, page 24, and inserting in lieu thereof

line 37, page 29 of Senate bill as amended.

142. Amend by striking out in line 17, page 24, \$100 and inserting in lieu thereof \$150.

Respectfully submitted,

TIPS,
BOREN,
BEALL,
SIMPSON,
STEELE,

On part of the Senate.

MORRISON,
GIDDINGS,
MILLS,
WESTER,
PEYTON,

On part of the House.

Adopted.

IN SENATE.

House bill No. 740, a bill to be entitled "An act to grant to S. M. Leary, N. Gussett, E. A. Campbell and D. Reid, comprising the Corpus Christi Water Supply Company, the right to construct a dam across the Nueces river."

Read first time and referred to Committee on State Affairs.

On motion of Senator Stafford, regular order of business was suspended to take up

House bill No. 678, a bill to be entitled "An act to amend an act passed by the Twentieth Legislature of the State of Texas, approved March 15, 1887, entitled 'An act to amend section 2 of an act to redistrict the State into judicial districts, and to fix the time for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved on the 9th day of April, 1883, and also to amend section 4 of 'An act to amend section 4 of an act entitled an act to redistrict the State into judicial districts, and to fix the time for holding courts therein, and to provide for the election of judges and district attorneys in said districts at the next general election, to be held on the first Tuesday after the first Monday in November, 1884,' approved on March 31, 1885.'"

Bill read second time.

Senator Stafford moved to postpone further consideration indefinitely.

So ordered.

Senator Lewis called up

Senate bill No. 123, "An act to amend article 1011a of the Revised Civil Statutes of Texas, as amended by an act entitled an act to amend articles Nos. 1002, 1005, 1011, 1012, 1014, 1017, 1019, 1023, 1024, 1025, 1033, 1039, 1043, 1044, 1049,

1050, 1056, 1057, 1058, 1060. of the Revised Civil Statutes of the State of Texas, and to add articles 1011a, 1011b, 1011c, 1011d, and 1011e, and to repeal articles Nos. 1006, 1007, 1008, 1009, 1034, 1035, 1036, 1037, 1038, 1045, 1046, 1048, of the same title of the Revised Civil Statutes of the State of Texas, and to provide for the transfer of cases pending in the Supreme Court to the Court of Civil Appeals,' passed by the special session of the Twenty-second Legislature, approved April 13, 1892, relating to writs of error from the Supreme Court to the Courts of Civil Appeals."

With House amendments thereto, and moved that the Senate concur in same.
Concurred.

Senator Smith called up
Senate bill No. 101, a bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, or either of them, and to prescribe the rules of evidence as to such relationship, and to further prescribe their duties and liabilities,"

With House amendments thereto, and moved to concur in same.

Senator Lewis moved as a substitute thereto that the Senate do not concur, and that a free conference committee be asked for.

So ordered by the following vote:

Yeas—19.

Atlee,	Rogers,
Beall,	Shelburne,
Boren,	Sherrill,
Bowser,	Simpson,
Dean,	Smith,
Dibrell,	Steele,
Gage,	Tips,
Greer,	Whitaker,
Lasker,	Woods.
Lewis,	

Nays—4.

Agnew,	Goss.
Darwin,	Harrison.
	Absent, excused.
Dickson,	McKinney.
Lawhon,	
	Absent, not excused.
Bailey,	Presler,
Colquitt,	Stafford.
McComb,	

The chair announced the appointment of the following free conference committee, on part of the Senate, to consider the difference between the two houses on Senate bill No. 101: Senators Lewis, Smith, Bowser, Presler, and Simpson.

Senator Simpson called up and moved the adoption of

House concurrent resolution No. 37:

Resolved by the House of Representatives, the Senate concurring, That the Twenty-fourth Legislature stand adjourned sine die on Tuesday, April 30, 1895, at 12 o'clock noon.

Adopted.

Senator Simpson moved to reconsider the vote by which the resolution was adopted, and to lay that motion on the table.

Lost by the following vote:

Yeas—11.

Boren,	Shelburne,
Darwin,	Simpson,
Dean,	Smith.
Dibrell,	Whitaker,
Greer,	Woods.
Lewis,	

Nays—14.

Agnew,	Harrison,
Atlee,	Lasker,
Beall,	Rogers,
Bowser,	Sherrill,
Colquitt,	Stafford,
Gage,	Steele,
Goss,	Tips.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	Presler.
McComb,	

Senator Tips made the following free conference committee report, and moved its adoption:

Committee Room,
Austin, Texas, April 23, 1895.

Hon. Geo. T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House of Representatives:

Your joint free conference committee, to whom was referred Senate bill No. 238, beg leave to make the following report:

That the Senate concur in House amendment No. 1.

That the House recede from amendment No 2.

That the Senate concur in amendments Nos. 3, 4 and 5.

That the House recede from amendments Nos. 6, 7, 8, 9, 10 and 11.

That all of lines 9 and 10 on page 4 of the printed bill be stricken out.

That the Senate concur in House amendments Nos. 13, 14, 15, 16, 17, 18, 19 and 20.

Add after line 32, page 5 (printed bill), miscellaneous department, the following item: Balance due Austin Water, Light and Power Company for water furnished for fire protection for the Capitol and State University for two years ending February 28, 1895, \$600.

Add to section 1, after the word "liberty" the following: "And provided further, that hereafter no officer, superintendent or employe of the State shall create any debt against the State of Texas, except where specially provided by law, and where an appropriation has been made therefor, or authorized by law."

TIPS,
SHERRILL,
LASKER,
ROGERS,

On part of the Senate.

HENDERSON,
RAGSDALE,
KING.

WAYLAND,
SMITH of Milam,

On part of the House.

Adopted.

Committee Room,
Austin, Texas. April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on State Affairs, to whom was referred

House bill No. 740, entitled "An act to grant to S. M. Leary, N. Gussett, E. A. McCampbell and D. Reid, comprising the Corpus Christi Water Supply Company, the right to construct a dam across the Nueces river,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and that it be not printed.

SIMPSON, Chairman.

On motion of Senator Lasker, regular order of business was suspended to take up

House bill No. 430, a bill to be entitled "An act to provide for boards of examiners and the issuance of city teachers' certificates."

Bill read second time.

Senator Steele moved to postpone further consideration of the bill indefinitely.

So ordered.

On motion of Senator Shelburne, regular order of business was suspended to take up

House bill No. 600, a bill to be entitled "An act to amend an act approved March 15, 1893, entitled 'An act to amend section 23 of chapter 63 of an act passed at the regular session of the Twenty-second Legislature, approved April 13, 1891, entitled an act to amend section 23 of an act entitled an act to redistrict the State into judicial districts and fix the terms of holding court therein, and to provide for the election of judges and district attorneys in said districts at the next

general election to be held on the first Tuesday after the first Monday in November, 1884, and to change the time of holding the terms of the district court in Brazoria county, and conform the issuance, service, and return of process from said court to such change, and providing an extension of time of the January term of the district court in Brazoria county.'"

Bill read second time, and passed to third reading.

On motion of Senator Shelburne, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Agnew,	Rogers,
Atlee,	Shelburne,
Boren,	Sherrill,
Colquitt,	Simpson,
Dean,	Smith,
Dibrell,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.
Lewis,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	Lasker,
Beall,	McComb,
Bowser,	Presler.
Darwin,	

The bill was read third time, and passed by the following vote:

Yeas—23.

Agnew,	Lewis,
Atlee,	Presler,
Beall,	Rogers,
Boren,	Shelburne,
Colquitt,	Simpson,
Darwin,	Smith,
Dean,	Stafford,
Dibrell,	Steele,
Gage,	Tips,
Goss,	Whitaker,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	McComb,
Bowser,	Sherrill.
Lasker,	

The Chair gave notice of signing, and did sign after the captions had been read.

House bill No. 593, a bill to be entitled "An act to amend article 3600 of the Revised Civil Statutes of the State of Texas."

House bill No. 230, a bill entitled "An act for the relief of John A. Caplen, and to return to him certain moneys in the State Treasury, being proceeds of sale of land escheated to the State, which was purchased by him."

Senate bill No. 302, a bill to be entitled "An act to validate the transfer from one county to another of the original record books of deeds and transfers kept for lands situated in unorganized counties, and to validate such transferred records."

House bill No. 413, a bill entitled "An act to amend chapter 51, section 1, section 2, section 33, section 53, and section 54 of the acts of the Twenty-third Legislature, entitled 'An act to create a more efficient road system in the counties of Cherokee, Houston, Anderson, Trinity, Franklin, Delta, Harrison, Pannola, Upshur, Shelby, Smith, and auxiliary thereto,' etc."

Substitute House bill No. 19, a bill to be entitled "An act to amend chapter 1, title 14, of the Penal Code, so as to insert article 450a, providing for the prosecution in one bill of indictment of all such offenses as are based upon the same forged instrument of writing, and to prevent the double collection of fees in such cases."

House bill No. 32, a bill to be entitled "An act to provide for the survival of causes of action for personal injuries other than those resulting in death, and for the enforcement thereof."

House bill No. 457, a bill to be entitled "An act to reorganize the Forty-first Judicial District, and to provide the times of holding the terms of the district courts in said district."

House bill No. 173, "An act to make it a penal offense for any person in this State to unlawfully sow, scatter or place on land not his own, the seed or roots of Johnson grass, or the seed or roots of any other vegetation which will make such land unsuitable for the cultivation of cotton, or of corn, or any other grain, or which will make the cultivation of such land in such crops more difficult, or which will impair or diminish the value of such land for the cultivation of such crops as are usually grown thereon; to prescribe the punishment therefor, and to prescribe the procedure in prosecution in such cases."

House bill No. 638, a bill to be entitled "An act for the creation of natural premium or business assessment life and

accident insurance companies in this State, and for the regulation thereof, and to repeal all laws and parts of laws in conflict therewith."

House bill No. 688, entitled "An act to authorize the Commissioner of the General Land Office to issue to the heirs of S. H. Carter a patent to the north half and southeast quarter of section No. 2, block No. 1, Fisher county, Texas, as surveyed by the San Antonio and Mexican Gulf Railway Company, and set apart to the benefit of the common school fund of the State of Texas."

Senator Tips moved that the House be requested to return

House concurrent resolution No. 22, authorizing and instructing the State Board of Public Printing to dispose of the property composing what is known as the State printing office.

Carried.

On motion of Senator Harrison, regular order of business was suspended to take up

House bill No. 471, a bill to be entitled "An act to amend section 62 of an act entitled 'An act to organize the Court of Criminal Appeals of the State of Texas, to define the jurisdiction thereof, to prescribe the procedure therein, to fix the places and times of holding the terms of said court, to repeal articles 1064, 1065, 1066, 1067, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, of the Revised Civil Statutes of the State of Texas, to repeal articles 64, 65, 66, 67, 838, 840, 841, 843, 844, 845, 852, 853, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 876, 877, 878, 879, 880, 881, 882, 883, 885, 887, 888, 889, 890, 1049, 1050, 1051, 1052, 1087, 1088, 1089, of the Code of Criminal Procedure of the State of Texas, and all laws and parts of laws in conflict with the provisions of this act,' passed at the first called session of the Twenty-second Legislature of the State of Texas, being chapter 16 of said acts."

Bill read second time.

Senator Smith moved to postpone further consideration of the bill indefinitely.

Lost by the following vote:

Yeas—12.

Dean.	Rogers.
Dibrell,	Shelburne,
Greer,	Simpson,
Lasker,	Smith,
Lewis,	Stafford,
Presler,	Tips.

Nays—13.

Agnew,	Beall,
Atlee,	Boren,
Bailey,	Colquitt,

Darwin,
Gage,
Harrison,
Sherrill,

Steele,
Whitaker,
Woods.

Absent, excused.

Dickson,
Lawhon,

McKinney,

Absent, not excused.

Bowser,
Goss,

McComb.

The bill then passed to third reading by the following vote:

Yeas—16.

Agnew,
Atlee,
Bailey,
Beall,
Boren,
Colquitt,
Darwin,
Gage,

Harrison,
Lasker,
Rogers,
Sherrill,
Steele,
Tips,
Whitaker,
Woods.

Nays—10.

Bowser,
Dean,
Dibrell,
Greer,
Lewis,

Presler,
Shelburne,
Simpson,
Smith,
Stafford.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Goss,

McComb.

EXECUTIVE MESSAGE.

To the Senate and House of Representatives:

The certainty of the final adjournment of the Legislature at an early date invites a brief review of the work already accomplished and affords an opportunity to renew an earnest recommendation for the passage of laws upon three additional subjects. For the first sixty days of the session no act of general importance or consequence was passed. Since March 5 the following laws of general and exceptional merit dictated by public and party demands have been enacted:

1. An act to ascertain the class of merchants so that the amount of occupation tax may be determined. It is estimated this act will increase the total receipts of the State from occupations \$60,000 per year.

2. A strong and comprehensive irrigation law. The consensus of opinion of those having knowledge of conditions in the western portions of the State is that irrigation is absolutely necessary there, and it may be accepted that this act which invites and will protect invest-

ments in such enterprises will greatly conduce to the welfare of that section.

3. An act to validate the title of actual settlers and bona fide purchasers to land located by certificates issued to railroad companies in whole or in part for sidings or turnouts. This act quiets the title of the persons named to the land held by them but expressly reserves the right of the State to continue the policy of recovering land wrongfully appropriated by all other persons or corporations.

4. An act to fix the rate of taxation on express companies. Heretofore all express companies, regardless of the length of line or the amount of business, were required to pay an annual occupation tax of \$1000. This act equalizes the tax by levying 1½ per cent upon the gross receipts and inasmuch as increased ad valorem taxation is necessary, this, as it should do, will increase the rate of taxation on these companies, which pay no ad valorem tax, and will augment the receipts from this source \$7000 annually.

5. An act which simplifies the description of land in assessments and advertisements for purposes of taxation, which will tend to restore and strengthen public faith in tax titles and thus force prompt payment of taxes.

6. An act regulating primary elections and to punish fraudulent voting thereat.

7. An act which provides for the support of the Confederate Home out of the general revenue. Heretofore the Home has been chiefly supported by fees received by certain departments, which are necessarily varying and uncertain. This act establishes the Home upon a certain and sound basis and makes ample provision for the comfort and maintenance of disabled heroes entitled to the gratitude of the State.

8. As authorized by the act of Congress, approved August 13, 1894, national bank notes and United States Treasury notes are made taxable.

9. A law providing for the collection of back taxes, which, it is estimated, will increase the tax receipts from redemption of land sold for taxes to the State since 1885, \$75,000 annually.

10. A law regulating contested elections which, besides other benefits, will put an end to the corrupt and fraudulent removal of county seats and the consequent destruction of public and individual rights.

11. An act governing the sale and lease of public lands. While the price of pasture land is reduced to one dollar per acre, interest to 3 per cent and leases to 3 cents per acre, it is believed this law will not only

advance the interests of the West, but of the whole State. The price of agricultural and watered land remains as heretofore. Speaking generally, the land now owned by the State is necessarily less valuable than that already located or purchased, and in view of financial conditions, one dollar per acre is a fair price at this time for purely grazing land, and experience has demonstrated that actual settlers are unable or unwilling to pay five per cent. interest. The large number of leases which have been cancelled at 4 cents an acre indicates that at 3 cents per acre under present conditions the State will receive a larger revenue from this source than heretofore. Among valuable provisions of this act, the collection of interest and rents is placed under the direction of the Attorney General, with authority to proceed through the courts of Travis county, which can but establish much needed uniformity of procedure, avoid failure and delays incident to local influences, greatly reduce the cost of collection, and increase returns to the treasury.

12. An act imposing an occupation tax upon general and local agents of life, fire, marine and accident insurance companies, which should yield an annual revenue of \$20,000.

13. A general arbitration act, by which labor grievances may be amicably settled and adjusted.

14. An act reducing the fees of sheriffs for attaching witnesses in felony cases from \$2.50 to \$1 per day, which will reduce expenses \$25,000 annually.

15. A general revision of the civil and criminal codes, thus putting in the hands of the people all the laws of the State in cheap and convenient form.

16. An act levying an annual ad valorem State school tax of 20 cents for 1895, and 18 cents for 1896, which indicates a determination to maintain our public free schools unimpaired.

17. A strong and effective anti-trust law, which should enable the State to protect the public against the wrongs of trade conspiracies. This act, as it originally passed the House of Representatives, did not interfere with the privilege of producers to agree upon limits of production and the like, that provision being stricken out of the act of 1889, nor of labor to advance its interests, as determined by the Supreme Court under the act of 1889. But this court having held, after the passage of the bill by the House, that an express provision relieving them from the operation of the law would not invalidate it, such provision has been properly inserted.

18. A law amending the process of subpoena, punishing defaulting witnesses by imprisonment, which should greatly reduce the cost to the State in felony cases by avoiding the necessity for the issuance of alias subpoenas.

19. Reductions have been made in appropriations. For the last appropriation year, ending February 28, 1895, the total appropriations amounted to \$2,391,069.29, and the deficiencies as now known aggregate \$214,000, making the total expenditure for the year \$2,605,069.29. The free conference committees have prepared a general appropriation bill for the next two years, appropriating as follows:

For the year ending February 28, 1896, \$2,373,500, and for the year ending February 28, 1897, \$2,134,655, showing a reduction comparing last year with that ending February, 28, 1896, of \$18,569.29, as compared with the appropriation for the past year, and \$232,569.29, as compared with actual expenditures for that year.

Notwithstanding this record, to which should be added the defeat of several unwise and dangerous measures, it is to be regretted that proposed legislation of great importance, now too late to be remedied should have failed. The condition of legislation upon three subjects, however, is such as to render its enactment entirely feasible at this session, and it should be perfected before adjournment, namely: Increased taxation on fire and life insurance companies, reformation of the criminal laws, and appropriations. The statement is purposely unjust that the proposition to increase the rate of taxation on fire and life insurance companies is dictated by other than a disposition to equalize the necessary increase of tax burdens. These burdens will be increased upon all people who pay ad valorem taxes, and both because the money is necessary to meet expenses and because these companies and others are not reached by the ad valorem system, the bill increasing the taxes on insurance companies passed by the House, and now before the Senate, should certainly become a law.

There is a just and strong demand that our laws of criminal procedure be reformed, and the Legislature should not adjourn until article 685 of the Code of Procedure is amended so not to require reversal unless a failure to observe the requirements mentioned in that article probably injured defendant and deprived him of a fair and impartial trial. This measure has passed the Senate. Your attention is earnestly and seriously called to the appropriation recommended by the free conference committee in con-

nection with the 20 cent rate of taxation proposed for general purposes. There is now in the Treasury to the credit of general revenue about \$100,000. There is a deficit of \$214,000 for the past year and two months expenses of the State Government are due, which, amounting to about \$400,000, will make a total indebtedness of \$614,000, now due, and only \$100,000 in the Treasury, leaving a deficiency to begin with of \$514,000. The Comptroller estimates the total tax receipts, at 20 cents and under existing laws, at \$2,289,000 per annum. With an appropriation of \$2,372,500 for next year, there will not be revenue enough collected by \$83,500 to meet expenditures, and will still leave unprovided for the deficit of \$514,000 above referred to. It is too plain for argument that the appropriation should be radically reduced, and the rate of taxation fixed at 25 cents for 1895 and 20 cents for 1896.

C. A. CULBERSON.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has granted request of Senate for free conference committee on Senate bill No. 101, and the following members are appointed on said committee on part of House: Messrs. Bailey, McKinney, Owsley, Blair, Moore of Morris.

Also, that the House grants request of Senate for return of committee substitute for House concurrent resolution No. 22, and same is hereby returned.

Respectfully,
CHESTER HAILE, Chief Clerk.

On motion of Senator Atlee, regular order of business was suspended to take up

House bill No. 740, "An act to grant to S. M. Leary, N. Gusset, E. A. McCampbell and D. Reid, comprising the Corpus Christi Water Supply Company, the right to construct a dam across the Nueces river."

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its second reading by the following vote:

Yeas—25.

Agnew,	Colquitt,
Atlee,	Darwin,
Bailey,	Dean,
Beall,	Dibrell,
Boren,	Gage,
Bowser,	Greer,

Harrison,	Simpson,
Lasker,	Smith,
Lewis,	Stafford,
Presler,	Steele,
Rogers,	Tips,
Shelburne,	Woods.
Sherrill,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Goss,	Whitaker.
McComb,	

Bill read second time, and passed to third reading.

On motion of Senator Atlee, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—24.

Agnew,	Lasker,
Atlee,	Lewis,
Bailey,	Presler,
Beall,	Rogers,
Boren,	Shelburne,
Colquitt,	Sherrill,
Darwin,	Simpson,
Dean,	Smith,
Dibrell,	Stafford,
Gage,	Steele,
Greer,	Tips,
Harrison,	Woods.

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bowser,	McComb,
Goss,	Whitaker.

Bill read third time and passed.

On motion of Senator Beall, regular order of business was suspended to take up

House bill No. 450, a bill to be entitled "An act to amend an act entitled 'An act to amend article 4724, chapter 3, title 95 of the Revised Civil Statutes, to fix and equalize the compensation of assessors of taxes, approved March 28, 1883,'"

By the following vote:

Yeas—17.

Agnew,	Harrison,
Atlee,	Rogers,
Bailey,	Sherrill,
Beall,	Stafford,
Boren,	Steele,
Colquitt,	Tips,
Darwin,	Whitaker,
Dibrell,	Woods.
Gage,	

Nays—6.

Dean.	Shelburne,
Greer.	Simpson,
Lewis,	Smith.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bowser,	McComb,
Goss,	Presler.
Lasker,	

Bill read second time.

Senator Lewis moved that the bill be printed and made a special order for tomorrow morning after call.

Lost by the following vote:

Yeas—11.

Atlee,	Goss,
Bailey,	Greer,
Bowser,	Lewis,
Darwin,	Shelburne,
Dean,	Simpson.
Dibrell,	

Nays—14.

Agnew,	Sherrill.
Beall,	Smith.
Boren,	Stafford,
Colquitt,	Steele,
Gage,	Tips,
Harrison,	Whitaker,
Rogers,	Woods.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Lasker,	Presler.
McComb,	

Senator Lewis then moved that the bill be printed and made special order for 3 p. m. today.

Senator Agnew moved as a substitute that the bill be made special order for 3 p. m. today.

Carried.

HOUSE MESSAGE.

House of Representatives,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the report of the free conference committee on substitute House bills Nos. 125 and 138, the general appropriation bill.

Also, that the House has adopted the report of the free conference committee on Senate bill No. 238.

Respectfully,

CHESTER HAILE,
Chief Clerk.

By consent, the following committee reports were sent up:

Committee Room,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 500, a bill to be entitled "An act to provide for the manner of procuring the attendance of witnesses in felony cases pending in the courts of the State where the witness resides in some other county than the one in which the prosecution is pending, and to provide compensation for such witnesses, and to empower the court in which the prosecution is pending to punish witnesses for nonattendance after having been subpoenaed, and to enforce their attendance by attachment, and to provide compensation of sheriffs or other peace officers executing such attachment, and to repeal all laws and parts of laws in conflict with the provision of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,
Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 218, a bill to be entitled "An act to amend articles 303, and 305, of chapter 4, title 5, of the Code of Criminal Procedure of the State of Texas, relating to the taking of bail in felony and misdemeanor cases in district courts of the State of Texas,"

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and that the same be not printed.

AGNEW, Chairman.

Senator Bailey moved to suspend regular order of business to take up

House bill No. 623, a bill to be entitled "An act to authorize the Secretary of State to furnish Somervell county all necessary laws of the Legislature of the State of Texas, and all reports of the Supreme Court and Court of Appeals and Court of Criminal Appeals and Courts of Civil Appeals of Texas."

Taken up by the following vote:

Yeas—16.

Agnew,	Boren,
Atlee,	Darwin,
Bailey,	Dean,
Beall,	Gage,

Greer,
Harrison,
Lewis,
Rogers,

Shelburne,
Sherrill,
Simpson,
Woods.

Nays—5.

Colquitt,
Goss,
Smith,

Stafford,
Tips.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Bowser,
Dibrell,
Lasker,
McComb,

Presler,
Steele,
Whitaker.

Bill read second time, with favorable majority and adverse minority committee reports.

Senator Colquitt moved to adopt the minority in lieu of the majority report.

Carried by the following vote:

Yeas—15.

Atlee,
Beall,
Colquitt,
Dibrell,
Gage,
Goss,
Greer,
Lasker,

Lewis,
Rogers,
Smith,
Stafford,
Steele,
Tips,
Whitaker.

Nays—10.

Agnew,
Bailey,
Boren,
Darwin,
Dean,

Harrison,
Shelburne,
Sherrill,
Simpson,
Woods.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Bowser,
McComb,

Presler.

On motion of Senator Rogers, regular order of business was suspended to take up

House bill No. 704, a bill to be entitled "An act authorizing the board of managers of the State Lunatic Asylum at Austin, Texas, to sell, lease, or dispose of the water flowing from the artesian wells on the grounds belonging to said asylum."

Bill read second time, and passed to third reading.

On motion of Senator Rogers, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—25.

Agnew,
Atlee,
Bailey,
Beall,
Boren,
Colquitt,
Darwin,
Dean,
Dibrell,
Gage,
Goss,
Greer,
Harrison,

Lasker,
Lewis,
Rogers,
Shelburne,
Sherrill,
Simpson,
Smith,
Stafford,
Steele,
Tips,
Whitaker,
Woods.

Nays—none.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Bowser,
McComb,

Presler.

Bill read third time, and passed by the following vote:

Yeas—25.

Agnew,
Atlee,
Bailey,
Beall,
Boren,
Colquitt,
Darwin,
Dean,
Dibrell,
Gage,
Goss,
Greer,
Harrison,

Lasker,
Lewis,
Rogers,
Shelburne,
Sherrill,
Simpson,
Smith,
Stafford,
Steele,
Tips,
Whitaker,
Woods.

Nays—none.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Bowser,
McComb,

Presler.

On motion of Senator Boren, regular order of business was suspended to take up,

Substitute House concurrent resolution No. 22, "Authorizing and instructing the State Board of Public Printing to dispose of the property comprising what is known as the State printing office."

Resolution read.

By Senator Tips:

Amend section 1, line 27, by adding after the word "printing," the words "and book binding."

Adopted by the following vote:

Yeas—25.

Agnew,
Atlee,

Bailey,
Beall,

Boren,	Rogers,
Colquitt,	Shelburne,
Darwin,	Sherrill.
Dean,	Simpson,
Dibrell,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.
Lewis,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bowser,	Presler.
McComb,	

The resolution as amended was adopted by the following vote:

Yeas—24.

Agnew,	Harrison,
Atlee,	Lewis.
Beall,	Rogers,
Boren,	Shelburne,
Bowser,	Sherrill,
Colquitt,	Simpson,
Darwin,	Smith,
Dean,	Stafford,
Dibrell,	Steele,
Gage,	Tips,
Goss,	Whitaker,
Greer,	Woods.

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	McComb,
Lasker,	Presler.

The Chair gave notice of signing, and did sign after the captions of same had been read,

Senate bill No. 195, "An act for relief of actual occupants of portions of the unappropriated public domain as homes."

Senate bill No. 284, "An act to amend sections 1, 2, 3, 4, 5, 7, 8 and 9 of an act passed by the Twenty-first Legislature, approved April 5, 1889, and to repeal section 17 thereof, being an act relating to the liens of mechanics, contractors, sub-contractors, builders, laborers and material men."

Substitute Senate bill No. 164, "An act to amend article 2126 of the Revised Civil Statutes of Texas, relating to partition and distribution of estates."

Senate bill No. 143, "An act to amend section 66, chapter 122, of an act to provide for a more efficient system of public free schools, etc., passed at the regular session of the Twenty-third Legis-

lature, approved May 20, 1893, and cancelling certain certificates issued by county judges."

Senate bill No. 269, "An act to prevent persons from unlawfully boarding or riding upon any railroad train unless he or she be in good faith a passenger thereon."

Senate bill No. 29, "An act to adopt and establish the Revised Civil Statutes of Texas."

On motion of Senator Lewis, regular order was suspended to take up

House bill No. 140, a bill to be entitled "An act to amend article 101a of the Revised Civil Statutes of the State of Texas, relative to insane convicts."

Bill read second time, and passed to third reading.

The Chair laid before the Senate

House bill No. 22, a bill entitled "An act to amend article 649, title 21, of the Revised Civil Statutes of the State of Texas."

On third reading, action being on Senator Lewis' amendment, to-wit: Strike out all after the word "policy" in line 14 of page 2.

Adopted by the following vote:

Yeas—15.

Agnew,	Goss,
Atlee,	Lewis.
Beall,	Sherrill,
Boren,	Simpson,
Bowser,	Steele,
Colquitt,	Tips,
Dean,	Woods.
Dibrell,	

Nays—6.

Darwin,	Shelburne,
Gage,	
Harrison,	Stafford.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	Presler,
Greer,	Rogers,
Lasker,	Whitaker,
McComb,	

Bill was then passed.

EXECUTIVE MESSAGE.

EXECUTIVE OFFICE,

Austin. April 28, 1895.

To the Senate:

The advice and consent of the Senate is respectfully asked to the appointment of the following persons as notaries public:

J. J. Bates, T. Marks, W. R. Waldrop, R. S. Ritch, all of Comanche county: F. J. DeMerritt, Houston, Harris county: Alfred C. Sheen, Aransas Pass, San Patricio county: W. C. Culbertson El Campo, Wharton county: John Sei-

ders, San Saba, San Saba county: F. G. Bransford and W. M. Wagner, Newport, Clay county. John H. Sloma, Flatonia, Fayette county: Marcy C. Harper, Wm. Simmang, R. F. Blair, W. L. Thomas, J. C. Meredith, Joseph Mackin and S. J. Brooks, all of San Antonio, Bexar county: F. M. Harris, Whitfield Royal, Mayo Johnson, all of Almont, Bowie county: A. C. Whittle and C. D. Wise, of DeKalb, Bowie county: John Hodgeson, Hodgeson, Bowie county: L. E. Eckel, New Boston, Bowie county: B. T. Cowley, Boston, Bowie county: T. P. Barker, Dalby Springs, Bowie county: B. R. Watts, Belden, Morris county: G. B. Ellis, Texarkana, Bowie county: R. J. Hairston, DeKalb, Bowie county: J. D. Sherrill, Comanche, Comanche county: T. R. Hill, Comanche, Comanche county: Fred Oberthier, Comanche, Comanche county: T. O. Moore, Comanche, Comanche county, C. Coffee, Miami, Roberts county: W. C. Henderson, J. W. Link, Thos. F. Turner and J. H. Wills, all of Amarillo, Potter county: L. W. Mathis, W. P. McCrory, Ashby S. James, D. P. Hudnall, H. T. Moore, J. H. Barwise, T. A. Huff, Theodore D. Wagner, all of Wichita Falls, Wichita county: A. J. Bell, Iowa Park, Wichita county: J. N. Roark, Vernon, Wilbarger county: Thos. F. Donnell, Effie, Wilbarger county: John C. Kay, Graham, Young county: J. W. Parsons, Center Point, Kerr county: W. H. Dunlap, Millican, Brazos county: B. R. Watts, Belden, Morris county: R. B. Feilder, Cason, Morris county: W. C. Higgins, Rocky Branch, Morris county: E. W. Fagan, Paris, Lamar county: W. C. Cross, Glory, Lamar county: Frank Crum, Brownwood, Brown county: P. P. Powell, Coleman, Coleman county: W. R. B. Henry, Franklin county: E. Posey, John S. Walker, John Smith, W. W. Walker, all of Red River county: E. A. Scott, Navasota, Grimes county: Jno. M. Green and H. B. Leonard, Yoakum, DeWitt county: F. Brigance, Anderson, Grimes county: Jno. A. Read, A. Richards, jr., and James L. Britton, all of Houston, Harris county: A. T. West, Bonham, Fannin county: W. E. Odom, R. L. Royalty, D. C. Brandon, V. E. Grady and Sam Baker, all of Runnels county: W. W. Clements, Jacksonville, Cherokee county: E. S. B. Williams, Lorissa, Cherokee county: John McCracken, Gent, Cherokee county: D. H. Hamilton, Centralia, Trinity county: J. C. Crisp, Beeville, Bee county: J. M. Bickford, Port Lavaca, Calhoun county: J. S. McNutt, Edna, Jackson county: B. F. Vinson, El Campo, Wharton county: Duey Lankford, Hamilton county: H. M. Long of Comanche county.

The name of Henry D. Nelson, sent in for confirmation as a Notary Public for Cass county, on April 26, is herewith withdrawn.

C. A. CULBERSON.

On motion of Senator Dibrell, regular order of business was suspended to take up

House bill No. 629, being a bill to be entitled "An act to amend chapter 75 of the acts of the Twenty-first Legislature of Texas, approved April 6, 1889, to amend an act of the Twenty-second Legislature, chapter 30, approved April 6, 1891, entitled 'An act to require butchers and slaughterers of cattle to give bond, and to prescribe penalties for the violation of the conditions of the same, and to prevent unlawful slaughtering and selling cattle,' as amended by the Twenty-third Legislature,"

Being upon its passage to a third reading.

Bill passed to third reading.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—21.

Agnew,	Rogers.
Atlee,	Shelburne,
Bailey,	Sherrill.
Beall,	Simpson,
Boren,	Smith,
Bowser,	Stafford,
Colquitt,	Steele,
Darwin,	Tips,
Dibrell,	Whitaker,
Harrison,	Woods.
Lewis,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Dean,	Lasker,
Gage,	McComb,
Goss,	Presler.
Greer,	

The bill was read third time, and passed by the following vote:

Yeas—23.

Agnew,	Lewis,
Atlee,	Rogers,
Bailey,	Shelburne,
Beall,	Sherrill,
Boren,	Simpson,
Bowser,	Smith,
Colquitt,	Stafford,
Darwin,	Steele,
Dibrell,	Tips,
Goss,	Whitaker,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Dean,	McComb,
Gage,	Presler.
Lasker,	

Senator Atlee moved to fix 3:30 p. m. today for the Senate to go into executive session to consider all appointments made by the Governor.

So ordered.

Senator Rogers called up special committee report, relative to removing the archives of the General Land Office to rooms in the capitol building, etc., and moved to adopt same.

Motion withdrawn.

Senator Dibrell called up

House bill No. 437, a bill entitled "An act to encourage the breeding of and im-

provement in trotting, running and pacing horses in the State of Texas, and to prevent any person from entering any horse, mare, gelding, colt or filly under any other than its proper class, in competition for any purse, prize, premium, stake or sweepstakes offered or given by any agricultural or other society, association, person or persons in the State of Texas, where such prize, purse or premium, stake or sweepstakes is offered to be decided by a contest of speed."

Action being upon the (Shelburne's) motion to reconsider the vote by which the bill failed to pass to a third reading,

Reconsidered by the following vote:

Yeas—17.

Agnew,	Dibrell,
Atlee,	Goss,
Bailey,	Greer,
Beall,	Harrison,
Boren,	Lasker,
Bowser,	Shelburne,
Colquitt,	Sherrill,
Darwin,	Simpson,
Dean,	

Nays—6.

Lewis,	Steele,
Rogers,	Tips,
Smith,	Woods.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Gage,	Stafford,
McComb,	Whitaker.
Presler,	

By Senator Dibrell:

Section 4. There being in this State no adequate law on the subject stated in the caption hereof, and there being a large and growing amount of work on the calendar of the Legislature, an emergency and imperative public necessity exists for the suspension of the constitutional rule requiring bills to be read on three several days, and that this act take effect upon its passage, and it is so enacted.

Adopted.

Bill passed to a third reading.

On motion of Senator Dibrell, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—20.

Agnew,	Darwin,
Atlee,	Dean,
Bailey,	Dibrell,
Beall,	Goss,
Boren,	Greer,
Bowser,	Harrison,
Colquitt,	Lasker,

43—Senate.

Lewis,	Simpson,
Shelburne,	Smith,
Sherrill,	Steele.

Nays—2.

Rogers,	Tips.
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Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Gage,	Stafford,
McComb,	Whitaker,
Presler,	Woods.

Bill read third time and passed.

Senator Dibrell moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

On motion of Senator Beall, regular order of business was suspended to take up

Substitute for Senate bill No. 288 and substitute House bill No. 312, a bill entitled "An act to require express companies, firms, or corporations doing an express business in this State to furnish semi-annual statement to the Railroad Commission of Texas, and to provide penalties for violation of the provisions of this act."

Bill read second time.

On motion of Senator Beall, the bill was substituted for House bill No. 312.

By Senator Tips:

Strike out in section 1, line 21, the word "semi-annual" and insert "annually" in lieu thereof.

Adopted.

By Senator Tips:

Strike out the words, "and July," in line 21.

Adopted.

Bill (House bill No. 312, as substituted) passed to third reading.

On motion of Senator Beall, the constitutional rule requiring bills to be read on three several days was suspended and the bill put upon its third reading and final passage, by the following vote:

Yeas—21.

Agnew,	Greer,
Atlee,	Harrison,
Bailey,	Lewis,
Beall,	Rogers,
Boren,	Shelburne,
Bowser,	Sherrill,
Colquitt,	Simpson,
Darwin,	Smith,
Dean,	Steele,
Dibrell,	Tips.
Goss,	

Nays—none.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.
 Gage, Stafford.
 Lasker, Whitaker,
 McComb, Woods.
 Presler,

Bill read third time, and passed by the following vote:

Yeas—21.

Agnew,	Greer,
Atlee,	Harrison,
Bailey,	Lewis,
Beall,	Rogers,
Boren,	Shelburne,
Bowser,	Sherrill.
Colquitt,	Simpson,
Darwin,	Smith,
Dean,	Steele,
Dibrell,	Tips.
Goss,	

Nays—none.

Absent, excused.
 Dickson, McKinney.
 Lawhon,

Absent, not excused.
 Gage, Stafford,
 Lasker, Whitaker,
 McComb, Woods.
 Presler,

COMMITTEE REPORTS.

Committee Room,
 Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 269, "An act to prevent persons from unlawfully boarding or riding upon any railroad train unless he or she be in good faith a passenger thereon."

And find the same correctly enrolled, and have this day at 12:15 p. m. presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
 Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 284, "An act to amend sections 1, 3, 4, 5, 7, 8 and 9 of an act passed by the Twenty-first Legislature, approved April 15, 1889, being 'An act relating to the liens of mechanics, contractors, sub-contractors, builders, laborers, and material men.'"

And find the same correctly enrolled, and have this day, at 12:15 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
 Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 29, "An act to adopt and establish the Revised Civil Statutes of the State of Texas,"

And find the same correctly enrolled, and have this day, at 12:15 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
 Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 195, "An act for the relief of actual occupants of the unappropriated public domain as homes,"

And find the same correctly enrolled, and have this day at 12:15 o'clock p. m. presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
 Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 143, "An act to amend section 66, chapter 122, of an act to provide for a more efficient system of public free schools, etc., passed at the regular session of the Twenty-third Legislature, approved May 20, 1893, and cancelling certain certificates."

And find the same correctly enrolled, and have this day, at 12:15 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
 Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 164, "An act to amend article 2126, title 37, chapter 25, of the Revised Civil Statutes of Texas, relating to partition and distribution of estates,"

And find the same correctly enrolled, and have this day, at 12:15 p. m., presented the same to the Governor for his approval.

GREER, Chairman.

On motion of Senator Steele, the Senate adjourned to 3 p. m.

AFTERNOON SESSION.

Senate met pursuant to adjournment.
Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew,	Lasker,
Atlee,	Presler,
Beall,	Rogers.
Boren,	Shelburne,
Colquitt,	Sherrill,
Darwin,	Simpson,
Dean,	Stafford,
Dibrell,	Steele,
Gage,	Tips,
Goss,	Whitaker,
Harrison,	Woods.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Bailey,	McComb,
Bowser,	Lewis,
Greer,	Smith.

EXECUTIVE MESSAGE.

Executive Office,
Austin, Texas, April 29, 1895.

To the Senate:

The advice and consent of the Senate is respectfully asked to the following appointments:

Board of Managers of the State Lunatic Asylum at Austin: J. D. Fields of Travis county, vice George E. Wilcox, resigned.

Directors of the Agricultural and Mechanical College at College Station: W. R. Cavitt, of Brazos county; F. P. Holland, of Dallas county; G. W. Bowman, of Collin county; D. A. Paulus, of Lavaca county.

Railroad Commissioners: John H. Reagan, of Anderson county; L. J. Storey, of Caldwell county; N. A. Stedman, of Tarrant county.

C. A. CULBERSON.

SPECIAL ORDER.

The Chair laid before the Senate, on its passage to a third reading,

House bill No. 450, a bill entitled "An act to amend an act entitled 'An act to amend article 4724, chapter 3, title 95 of the Revised Civil Statutes, to fix and equalize the compensation of assessors of taxes,' approved March 28, 1883."

No quorum; the following voting:

Yeas—17.

Agnew,	Boren,
Atlee,	Colquitt,
Beall,	Darwin,

Gage,
Harrison,
Lasker,
Presler,
Rogers,
Sherrill,

Stafford,
Steele,
Tips,
Whitaker,
Woods.

Nays—2.

Dibrell,	Goss.
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Present, not voting.

Dean,	Simpson.
Shelburne,	

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Bailey,	Lewis,
Bowser,	Smith.
Greer,	

Senator Beall moved a call of the Senate, which was duly seconded and ordered, the following Senators answering to their names:

Agnew,	Lasker,
Atlee,	Presler,
Beall,	Rogers.
Boren,	Shelburne,
Colquitt,	Sherrill,
Darwin,	Simpson,
Dean,	Stafford,
Dibrell,	Steele,
Gage,	Tips,
Goss,	Whitaker,
Harrison,	Woods.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Bailey,	Lewis,
Bowser,	Smith.
Greer,	

Senator Beall moved that the Sergeant-at-Arms be instructed to locate and bring into the Senate chamber its absentees.

So ordered.

Pending business going to table, Senator Rogers moved to suspend regular order of business to take up

House bill No. 436, a bill to be entitled "An act to amend article 490, title 15, chapter 1, Penal Code of the State of Texas, and by adding thereto subdivisions 7 and 8, and to repeal a portion of article 492, title 15, of the Penal Code."

Lost.

Senator Rogers made the following special committee report:

Committee Room,

Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your select committee to whom was referred Senate resolution respecting

holding over of respective officers and fixing their compensation, beg leave to recommend as follows:

That the Journal Clerk, W. B. O'Quinn, be retained thirty-five days to index the Senate Legislative Record, and deliver a corrected copy to the public printer; and that Assistant Journal Clerk A. S. Thweatt be retained fifteen days to assist in such indexing, etc., and that the Calendar Clerk, Engrossing Clerk, and Enrolling Clerk each be retained five days to deliver such records to proper authorities and take receipts therefor; and that the Sergeant-at-Arms, C. H. Allen, be retained for ten days. And that the Secretary, J. P. Pool, be retained twelve days to deliver all papers and records to the Secretary of State in his possession, and to compile, revise and correct the list of notaries, and furnish one copy of same to the Journal Clerk for publication, and another copy to the Secretary of State; and that J. M. Kennedy, Postmaster, be retained five days to forward to Senators such mail that may come after adjournment.

And that all of such officers so retained shall receive \$5 per day each for their services, and the same to be paid out of the per diem appropriation of the Twenty-fourth Legislature.

ROGERS, Chairman,
GOSS.
COLQUITT.

By Senator Boren:

Amend by striking out "fifteen days" for Assistant Journal Clerk, and insert "thirty days" in lieu thereof.

By Senator Goss:

Substitute for amendment: Insert "twenty-five" days instead of "thirty." Senator Boren accepted the substitute, and it was adopted.

By Senator Darwin:

Amend by striking out "\$5 per day," and insert in lieu thereof "\$2 per day."

Lost.

By Senator Steele:

Amend by striking out "ten" days, and insert "five" days for Sergeant-at-Arms.

Senator Agnew moved, that when the Senate go into executive session, that it consider the nominations sent in this afternoon.

So ordered.

Pending action.

The Chair announced that the hour had arrived for the Senate to go into executive session, and the Senate accordingly went into executive session.

AFTER EXECUTIVE SESSION.

In executive session the following confirmations were had, to-wit:

On Board of Managers of the State

Lunatic Asylum at Austin: J. D. Fields, of Travis county, vice Geo. E. Wilcox, resigned.

Directors of the Agricultural and Mechanical College at College Station: W. R. Cavitt, of Brazos county; F. P. Holland, of Dallas county; G. W. Bowman, of Collin county; D. A. Paulus, of Lavaca county.

Railroad Commissioners: John H. Reagan, of Anderson county; L. J. Storey, of Caldwell county; N. A. Steadman, of Tarrant county.

Also, the list of notaries as corrected. (For which see Appendix.)

Senator Agnew moved that the list of notaries as corrected be printed in the Journal.

So ordered.

Senator Stafford moved to suspend the call of the Senate.

Suspended.

Senator Dean called up the motion to reconsider the vote by which the resolution providing for adjournment sine die was adopted.

Senator Steele moved to postpone further consideration of the resolution until tomorrow after call.

Lost by the following vote:

Yeas—11.

Beall,	Rogers,
Bowser,	Stafford,
Colquitt,	Steele,
Gage,	Tips,
Goss,	Woods.
Presler,	

Nays—14.

Agnew,	Greer,
Atlee,	Harrison,
Bailey,	Lewis,
Boren,	Shelburne,
Darwin,	Simpson,
Dean,	Smith,
Dibrell,	Whitaker.

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Lasker,	Sherrill.
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Senate refused to reconsider by the following vote:

Yeas—11.

Beall,	Rogers,
Bowser,	Stafford,
Colquitt,	Steele,
Goss,	Tips,
Lasker,	Woods.
Presler,	

Nays—15.

Agnew,	Dean,
Atlee,	Dibrell,
Bailey,	Greer,
Boren,	Harrison,
Darwin,	Lewis,

Shelburne,
Sherrill,
Simpson,

Smith,
Whitaker.

Absent, excused.

Dickson,
Lawhon,

McComb,
McKinney.

Absent, not excused.

Gage. •

HOUSE MESSAGE.

House of Representatives.

Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following bills, to wit:

Senate bill No. 66, "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, chapter 83, page 109, relating to the purpose for which private corporations may be formed."

With House amendments.

Senate bill No. 312, a bill entitled "An act to amend article 1784 of title 36, Revised Civil Statutes of Texas, relating to escheated estates."

Senate bill No. 230, a bill to be entitled "An act to amend an act entitled 'An act to regulate the establishment of quarantine in the State of Texas, and in the counties, cities and towns thereof, and to repeal all laws in conflict therewith,' approved April 28, 1891."

Also, that the House has adopted report of free conference committee on Senate bill No. 101.

Respectfully,

CHESTER HAILE,
Chief Clerk.

Senator Lewis sent up the following free conference report, and moved its adoption:

Committee Room,

Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate, and Hon. T. S. Smith, Speaker of the House of Representatives:

Your free conference committee, to whom was referred the differences between the two Houses on

Senate bill No. 101, a bill to be entitled "An act to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, or either of them, and to prescribe the rule of evidence as to such relationship, and to further prescribe their duties and liabilities,"

Have had the same under consideration, and recommend that the House re-

cede from its amendment and adopt the accompanying amendment:

Amend by striking out all of the following in section 1: "Or from a point beyond this State to a place of destination within it or from a point within this State to a destination beyond it has necessarily of fact passed, or was or is contemplated to pass or be carried in course of such transportation."

BLAIR,

BAILEY,

MCNEILL,

OWSLEY,

MOORE of Morris,

On part of the House.

E. C. SMITH,

PERRY J. LEWIS,

FRIENCH SAMPSON,

O. P. BOWSER,

On part of the Senate.

Adopted.

Senator Bowser called up

Senate bill No. 66, a bill entitled "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, chapter 83, page 109,"

With House amendments thereto, and moved that the Senate concur in said amendments.

Concurred.

The Chair gave notice of signing, and did sign after the captions had been read.

House bill No. 704, "An act authorizing the board of managers of the State Lunatic Asylum at Austin, Texas, to sell, lease or dispose of the water flowing from the artesian wells on the grounds belonging to said asylum."

House bill No. 635, "An act to enable the mayor and city council of any town or city to discontinue uninhabited territory as a part of any city or town."

House bill No. 728, "An act to provide for the publication and distribution of the Revised Civil Statutes, the Penal Code, and Code of Criminal Procedure of the State of Texas, adopted and established by the Twenty-fourth Legislature of the State of Texas, and to make an appropriation therefor."

House bill No. 166, "An act to amend sections 1 and 2, chapter 86, of the general laws of the State of Texas, passed by the Twenty-third Legislature, exempting Denton, Cherokee, Nacogdoches and Navarro counties from the provisions of said law, making it a penal offense to use traps, nets, and seines for the purpose of taking fish."

House bill No. 677, a bill to be entitled "An act to amend an act to designate what counties shall compose the Twenty-

ninth Judicial District of the State of Texas, to fix the time of holding courts therein, approved March 30, 1887, at the regular session of the Twentieth Legislature, amended February 15, 1889, March 5, 1889, amended by the acts of the regular session of the Twenty-third Legislature, approved April 26, 1893, so that the same shall hereafter read as follows."

House bill No. 404, being a bill to be entitled "An act to amend an act entitled 'An act to define trusts, and to provide for penalties and punishment of corporations, persons, firms and associations of persons connected with them, and to promote free competition in the State of Texas,' approved March 30, 1889."

House bill No. 600, a bill to be entitled "An act to amend an act approved March 15, 1893, entitled, 'An act to amend section 23 of chapter 63 of an act passed at the regular session of the Twenty-second Legislature approved April 13, 1891, entitled 'An act to amend section 23 of an act entitled 'An act to redistrict the State into judicial districts and fix the terms of holding court therein, and to provide for the election of judges and district attorneys in said district at the next general election to be held on the first Tuesday after the first Monday in November, 1884, and to change the time of holding the terms of the district court in Brazoria county, and to conform the issuance, service and return of process from said court to such change, and providing an extension of time of the the January term of the district court in Brazoria county.'"

House bill No. 740, "An act to grant to S. M. Leary, N. Gusset, E. A. McCampbell and D. Reid, composing the Corpus Christi Water Supply Company, the right to construct a dam across the Nueces river."

Senate bill No. 123, a bill entitled "An act to amend article 1011a of the Revised Civil Statutes of Texas, as amended by an act entitled an act to amend articles Nos. 1002, 1005, 1011, 1012, 1014, 1017, 1019, 1023, 1024, 1025, 1033, 1039, 1043, 1044, 1049, 1050, 1056, 1057, 1058, 1060, of the Revised Civil Statutes of Texas, and to add articles 1011a, 1011b, 1011c, 1011d and 1011e, and to repeal articles Nos. 1006, 1007, 1008, 1009, 1034, 1035, 1036, 1037, 1038, 1045, 1046, 1048, of the same title of the Revised Civil Statutes of the State of Texas, and to provide for the transfer of cases pending in the Supreme Court to the Court of Civil Appeals," passed by the special session of the Twenty-second Legislature, approved April 13, 1893.

relating to writs of error from the Supreme Court to the Courts of Civil Appeals."

Senate bill No. 257, "An act to attach Gray county to Roberts county for judicial purposes."

Senate bill No. 220, "An act to amend article 644b of an act entitled 'An act to amend title 20 of the Revised Civil Statutes of the State of Texas, entitled 'Private Corporations,' by adding another chapter thereto, to be styled chapter 14, authorizing the construction, owning and operating deep water channels and docks,' approved April 1, 1887."

Senate bill No. 186, "An act to amend article 2519 of chapter 6, Revised Civil Statutes of the State of Texas, so as to compel county judges to require that the bonds of guardians be kept solvent, and prescribing their liability for negligence so to do."

Senate bill No. 184, "An act to amend section 1, chapter 106, acts of Twenty-second Legislature, as approved 13th day of April, 1891, entitled 'An act to amend section 1, of chapter 79, of an act passed at the regular session of the Twenty-first Legislature,' approved April 4, 1889, entitled 'An act to authorize counties to fund their indebtedness, and to provide means to pay same.'"

Senate bill No. 120, "An act to amend article 1011b of the Revised Civil Statutes of Texas, as amended by an act entitled 'An act to amend articles numbers 1002, 1005, 1011, 1012, 1014, 1017, 1019, 1023, 1024, 1025, 1033, 1039, 1043, 1044, 1049, 1050, 1056, 1057, 1058, 1060, of the Revised Civil Statutes of Texas; and to add articles 1011a, 1011b, 1011c, 1011d, 1011e, and to repeal articles numbers 1006, 1007, 1008, 1009, 1034, 1035, 1036, 1037, 1038, 1045, 1046, 1048, of the same title of the Revised Civil Statutes of Texas, and to provide for the transfer of cases pending in the Supreme Court to the Court of Civil Appeals, passed by the special session of the Twenty-second Legislature, approved April 13, 1892, relating to writs of error from the Supreme Court to the Courts of Civil Appeals."

By unanimous consent, Senator Beall offered the following:

Senate concurrent resolution No. 26, asking the Secretary of State to return to the Senate Senate bill No. 170, in order that the same may be presented to the Speaker of the House of Representatives for his signature,

Which was read and adopted.

On motion of Senator Lips, regular business was suspended to take up

House bill No. 270, a bill to be entitled "An act to provide for the levy and collection of an annual ad valorem State tax for the general revenue purposes of

twenty cents on the one hundred dollars valuation."

Bill read second time.

By Senator Simpson:

Amend section 1, line 4, of said section by striking out the word "twenty" and inserting in lieu thereof the words "twenty-five," and the caption to conform to the same.

Adopted by the following vote:

Yeas—14.

Atlee,	Presler,
Beall,	Shelburne,
Bowser,	Sherrill,
Gage,	Simpson,
Greer,	Smith,
Lasker,	Tips,
Lewis,	Woods.

Nays—10.

Agnew,	Harrison,
Bailey,	Rogers,
Boren,	Stafford,
Colquitt,	Steele,
Darwin,	Whitaker.

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Dean,	Goss.
Dibrell,	

Bill passed to third reading by the following vote:

Yeas—18.

Agnew,	Presler,
Atlee,	Rogers,
Beall,	Shelburne,
Bowser,	Sherrill,
Dean,	Simpson,
Gage,	Smith,
Greer,	Stafford,
Lasker,	Tips,
Lewis,	Woods.

Nays—7.

Bailey,	Harrison,
Boren,	Steele,
Colquitt,	Whitaker.
Darwin,	

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Dibrell,	Goss.
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On motion of Senator Tips, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put upon its third reading and final passage by the following vote:

Yeas—21.

Agnew,	Beall.
Atlee,	Bowser,
Bailey,	Darwin,

Dean,	Sherrill,
Gage,	Simpson,
Greer,	Smith,
Lasker,	Stafford,
Lewis,	Tips,
Presler,	Whitaker,
Rogers,	Woods.
Shelburne,	

Nays—4.

Boren,	Harrison,
Colquitt,	Steele.

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Dibrell,	Goss.
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Bill read third time, and passed by the following vote:

Yeas—17.

Agnew,	Presler,
Atlee,	Shelburne,
Beall,	Sherrill,
Bowser,	Simpson,
Dean,	Smith,
Gage,	Stafford,
Greer,	Tips,
Lasker,	Woods.
Lewis,	

Nays—8.

Bailey,	Harrison,
Boren,	Rogers,
Colquitt,	Steele,
Darwin,*	Whitaker.

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Dibrell,	Goss.
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Senator Simpson moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Mr. President: We vote "no" on the pending amendment to fix the ad valorem tax rate at 25 cents on the \$100; for the reason that 20 cents as levied by the House bill is in our opinion amply sufficient to defray the expenses of the State government for the next two years, and we are unalterably opposed to laying any heavier burdens on the people in way of taxes than is absolutely necessary to defray the expenses of the government economically administered.

BOREN.
AGNEW,
BAILEY.

Senator Agnew called up
House concurrent resolution No. 39,
"Relative to the appointment of a com-

mittee to wait upon the Governor and inform him that the Twenty-fourth Legislature is now about to adjourn sine die, and will receive any communication he may desire to make, etc.."

And moved its adoption.

Adopted, and the Chair appointed on part of the Senate, Senators Simpson, Bowser, and Gage.

HOUSE MESSAGE.

House of Representatives.

Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed

House concurrent resolution No. 39, as follows:

"Resolved, That a committee of three be appointed by the Speaker of the House in connection with a like committee from the Senate to wait upon his Excellency the Governor and inform him that the Twenty-fourth Legislature is now about to adjourn sine die, and will receive any communication which he may desire to make."

And Messrs. Morrison, Graham and Brown have been appointed on said committee on the part of the House.

Also, that the House has adopted Senate concurrent resolution No. 26, requesting the return from the Secretary of State of Senate bill No. 170.

Respectfully,

CHESTER HAILE, Chief Clerk.

Committee Room.

Austin, Texas, April 29, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

House bill No. 712, "An act to define assignation houses, and punishing the keepers, owners, persons controlling the same, lessors, and lessees, and persons resorting thereto for purpose of carnal intercourse, and affixing the penalties thereto,"

Have had the same under consideration, and instruct me to report it back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

By consent, Senator Sherrill offered the following resolution:

Whereas, At the regular session of the Twenty-third Legislature sixteen copies each of "Sayles' Civil Statutes" and "Wilson's Criminal Statutes" were purchased for the use of the Senate; and

Whereas, This Legislature has adopted the Revised Civil Statutes, and Revised Criminal Code and Code of Criminal

Procedure, which will be printed before the next meeting of the Legislature, and the books first above mentioned will no longer be needed; therefore be it

Resolved, That the Secretary of State shall be, and he is hereby, authorized to sell said sixteen copies of Sayles' Civil Statutes, and Wilson's Criminal Statutes for the best price obtainable, and pay the proceeds thereof to the State Treasurer.

Adopted.

Senator Dean moved to adjourn to 10 a. m. tomorrow.

Lost by the following vote:

Yeas—7.

Atlee,	Lasker,
Bailey,	Lewis,
Dean,	Shelburne.
Greer,	

Nays—18.

Agnew.	Presler,
Beall,	Rogers,
Boren,	Sherrill,
Bowser,	Smith.
Colquitt,	Stafford,
Darwin,	Steele,
Dibrell,	Tips,
Gage,	Whitaker,
Harrison,	Woods.

Absent, excused.

Dickson,	McComb,
Lawhon,	McKinney.

Absent, not excused.

Goss,	Simpson.
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Senator Beall called up special order, House bill No. 450, a bill to be entitled "An act to amend an act entitled 'An act to amend article 4724, chapter 3, title 95, of the Revised Civil Statutes, to fix and equalize the compensation of assessors of taxes,' approved March 28, 1883,"

Action being upon its passage to third reading.

Pending which,

Senator Bowser moved to suspend regular order of business to take up

House bill No. 665, a bill entitled "An act to amend section 1 of 'An act to fix the rate of taxation on insurance companies, telephone companies, sleeping and dining car companies, and other corporations; to prescribe the time and manner of collecting such taxes; to provide penalties for the violation of this act; and to repeal all laws and parts of laws in conflict therewith,' approved May 11, 1893."

Carried by the following vote:

Yeas—18.

Agnew,	Colquitt,
Atlee,	Darwin,
Boren,	Dibrell,
Bowser,	Gage,

Goss,
Harrison,
Lasker,
Presler,
Sherrill,

Smith,
Stafford,
Steele,
Whitaker,
Woods.

Nays—9.

Bailey,
Beall,
Dean,
Greer,
Lewis,

Rogers,
Shelburne,
Simpson,
Tips.

Absent, excused.

Dickson,
Lawhon,

McComb,
McKinney.

(Senator Beall in the chair.)

Bill read second time, with favorable majority committee report, amendment, also minority report.

The minority report was withdrawn.

The majority report was then adopted.

Pending action, Senator Stafford moved to adjourn to 9:30 a. m. tomorrow.

Lost.

Senator Atlee moved that the further consideration of the bill (House bill No. 665) be postponed till tomorrow at 10 o'clock.

Lost by the following vote:

Yeas—8.

Atlee,
Bailey,
Dean,
Greer,

Lewis,
Shelburne,
Simpson,
Tips.

Nays—19.

Agnew,
Beall,
Boren,
Bowser,
Colquitt,
Darwin,
Dibrell,
Gage,
Goss,
Harrison,

Lasker,
Presler,
Rogers,
Sherrill,
Smith,
Stafford,
Steele,
Whitaker,
Woods.

Absent, excused.

Dickson,
Lawhon,

McComb,
McKinney.

(Lieutenant Governor Jester in the chair).

Senator Boren obtained the floor, and yielded the same to Porter, Robert Sloan, who, on behalf of the porters of the Senate, presented to Lieutenant Governor Jester an elegant gold headed cane. In a few happy remarks Lieutenant Governor Jester returned his thanks therefor.

By consent, Senator Greer offered the following resolution:

Whereas, The enrolling department is so crowded with work that it will be im-

possible for the present force to complete the work by 12 m. tomorrow, the hour set for final adjournment; therefore be it

Resolved by the Senate, That the President of the Senate is hereby authorized to employ such additional help as will complete the work by the time fixed for adjournment.

Adopted.

By Senator Rogers:

Resolved by the Senate, That the Journal Clerk be and he is hereby authorized and instructed to have 200 copies of Senate Journal bound in cloth covers—half leather binding—for use of members of Senate and House of Representatives and State officers.

Adopted by the following vote:

Yeas—17.

Agnew,
Atlee,
Bailey,
Bowser,
Colquitt,
Dean,
Dibrell,
Goss,
Greer,

Lasker,
Presler,
Rogers,
Shelburne,
Simpson,
Stafford,
Steele,
Woods.

Nays—8.

Beall,
Boren,
Darwin,
Gage,

Lewis,
Smith,
Tips,
Whitaker.

Absent, not excused.

Dickson,
Lawhon,

McKinney,
McComb.

Absent, excused.

Harrison.

Sherrill.

On motion of Senator Smith, the Senate adjourned till 10 a. m. tomorrow.

NINETY-FIRST DAY.

Senate Chamber,

Austin, Texas, April 30, 1895.

Senate met pursuant to adjournment. Lieutenant Governor Jester in the chair.

Roll called. Quorum present, the following Senators answering to their names:

Agnew,
Atlee,
Bailey,
Beall,
Boren,
Bowser,
Colquitt,
Darwin,
Dean,
Dibrell,

Gage,
Goss,
Greer,
Harrison,
Lasker,
Lewis,
Presler,
Rogers,
Shelburne,
Sherrill,

Simpson,
Smith,
Steele.

Tips,
Whitaker,
Woods.

Absent, excused.

Dickson,
Lawhon,

McComb,
McKinney.

Absent, not excused.

Stafford.

Prayer by Chaplain, Dr. Smoot.

Pending reading of the Journal of yesterday,

On motion of Senator Harrison, the same was suspended.

BILLS AND RESOLUTIONS.

By Senator Agnew:

Whereas, Senate bill No. 101 has been mislaid or lost; therefore be it

Resolved, That the Engrossing Clerk of the Senate be directed to furnish the House with another engrossed copy of said bill, and that the House be requested to return said copy to the Senate with all the amendments thereto by the House, with all proper endorsements thereon.

On motion of Senator Agnew, the resolution was adopted.

Call concluded.

EXECUTIVE MESSAGE.

Executive Office.

Austin, Texas, April 30, 1895.

To the Senate:

Senate bill No. 55, which provides that the Governor shall appoint a medical superintendent for each of the lunatic asylums of the State, who shall hold office for two years, and who when appointed shall have had at least two years experience in the management or treatment of the insane, is herewith returned without approval. The bill will too narrowly limit the number of physicians from whom selections may be made. Conditions in this State have not been such as to justify special study and private treatment of the insane, and consequently nominations would be confined to a very few physicians who have heretofore been connected with these institutions. Nor is it believed wise to limit the appointment of superintendents to physicians who have specially treated the insane. These superintendents perform other and equally responsible duties as those of mere attendant physicians. They care for great properties, direct the economical and judicious expenditure of more than a hundred thousand dollars annually, control and manage a large retinue of employes and servants, and should be selected as well for their executive and administrative capacity as for their professional skill and training.

C. A. CULBERSON.

Senator Lewis entered a motion to reconsider the vote defeating

House bill No. 623, a bill to be entitled "An act to authorize the Secretary of State to furnish to Somervell county all necessary laws of the Legislature of the State of Texas and all reports of the Supreme Court and Court of Appeals and Court of Criminal Appeals and Courts of Civil Appeals of Texas."

Senator Rogers called up the motion to reconsider and moved to table the same.

Lost by the following vote:

Yeas—10.

Bowser,
Colquitt,
Dean,
Dibrell,
Rogers,

Sherrill,
Smith,
Steele,
Tips,
Whitaker.

Nays—13.

Agnew,
Atlee,
Bailey,
Boren,
Darwin,
Gage,
Harrison,

Lewis,
McComb,
Presler,
Shelburne,
Simpson,
Woods.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Beall,
Goss,
Greer,

Lasker,
Stafford.

The motion to reconsider prevailed.

The bill was then passed to third reading by the following vote:

Yeas—15.

Agnew,
Atlee,
Bailey,
Boren,
Bowser,
Darwin,
Dean,
Gage,

Harrison,
Lewis,
McComb,
Presler,
Shelburne,
Sherrill,
Woods.

Nays—7.

Colquitt,
Dibrell,
Rogers,
Smith,

Steele,
Tips,
Whitaker.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Beall,
Goss,
Greer,

Lasker,
Simpson,
Stafford.

Senator Baiely moved a suspension of the constitutional rule, requiring bills to be read on three several days, and the

bill be put upon its third reading and final passage.

Lost by the following vote (requiring a four-fifth vote):

Yeas—18.

Agnew,	Lewis,
Atlee,	McComb,
Bailey,	Presler,
Boren,	Rogers,
Darwin,	Shelburne,
Dean,	Sherrill,
Gage,	Simpson,
Goss,	Whitaker,
Harrison,	Woods.

Nays—5.

Colquitt,	Steele,
Dibrell,	Tips.
Smith,	

Present, not voting.

Lasker.

Absent, excused.

Dickson,	McKinney.
Lawhon,	

Absent, not excused.

Beall,	Greer,
Bowser,	Stafford.

The Chair gave notice of signing, and did sign after the caption had been read.

Senate concurrent resolution No. 26, asking the Secretary of State to return to the Senate Senate bill No. 170, in order that the same may be presented to the Speaker of the House of Representatives for his signature.

By consent, the following committee reports were sent up:

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared

Senate bill No. 123, "An act to amend article 1011a of the Revised Civil Statutes of Texas, as amended by an act entitled an act to amend articles Nos. 1002, 1005, 1011, 1012, 1014, 1017, 1019, 1023, 1024, 1025, 1033, 1039, 1043, 1044, 1049, 1050, 1056, 1057, 1058, 1060, of the Revised Civil Statutes of the State of Texas, and to add articles 1011a, 1011b, 1011c, 1011d, and 1011e, and to repeal articles Nos. 1006, 1007, 1008, 1009, 1034, 1035, 1036, 1037, 1038, 1045, 1046, 1048, of the same title of the Revised Civil Statutes of the State of Texas, and to provide for the transfer of cases pending in the Supreme Court to the Court of Civil Appeals," passed by the special session of the Twenty-second Legislature, approved April 13, 1892, relating to writs of error from the Supreme Court to the Courts of Civil Appeals,"

And find the same correctly enrolled, and have this day, at 10:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 184, "An act to amend section 1, chapter 106, Acts of the Twenty-second Legislature, as approved 13th day of April, 1891, entitled 'An act to amend section 1 of chapter 79 of an act passed at the regular sessions of the Twenty-first Legislature,' approved April 4, 1889, entitled 'An act to authorize counties to fund their indebtedness and to provide means to pay same.'"

And find the same correctly enrolled, and have this day, at 10:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 220, being "An act to amend article 644b of an act entitled 'An act to amend title 20 of the Revised Civil Statutes of the State of Texas, entitled 'Private Corporations,' by adding another chapter thereto, to be styled chapter 14, authorizing the construction, owning and operating deep water channels and docks,' approved April 1, 1887,"

And find the same correctly enrolled, and have this day, at 10:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 120, being "An act to amend article 1011b of the Revised Civil Statutes of Texas, as amended by an act entitled 'An act to amend articles numbers 1002, 1005, 1011, 1012, 1014, 1017, 1019, 1023, 1024, 1025, 1033, 1039, 1043, 1044, 1049, 1050, 1056, 1057, 1058, 1060, of the Revised Civil Statutes of Texas, and to add articles 1011a, 1011b, 1011c, 1011d, 1011e, and to repeal articles numbers 1006, 1007, 1008, 1009, 1034, 1035, 1036, 1037, 1038, 1045, 1046, 1048, of the

same title of the Revised Civil Statutes of Texas, and to provide for the transfer of cases pending in the Supreme Court to the Court of Civil Appeals,' passed by the special session of the Twenty-second Legislature, approved April 13, 1892, relating to writs of error from the Supreme Court to the Courts of Civil Appeals."

And find the same correctly enrolled, and have this day at 10:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 186, being "An act to amend article 2519 of chapter 6, Revised Civil Statutes of the State of Texas, so as to compel county judges to require that the bonds of guardians be kept solvent, and prescribing their liability for negligence so to do,"

And find the same correctly enrolled, and have this day, at 10:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 257, "An act to attach Gray county to Roberts county for judicial purposes."

And find the same correctly enrolled, and have this day, at 10:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

On motion of Senator Sherrill, regular order of business was suspended to take up

House bill No. 471, a bill to be entitled "An act to amend section 62 of an act entitled 'An act to organize the Court of Criminal Appeals of the State of Texas, to define the jurisdiction thereof, to prescribe the procedure therein, to fix the places and times of holding the terms of said court, to repeal articles 1064, 1065, 1066, 1067, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, of the Revised Civil Statutes of the State of Texas, to repeal articles 64, 65, 66, 67, 838, 840, 841, 843, 844, 845, 852, 853, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 876, 877, 878, 879, 880, 881, 882, 883, 885, 887, 888, 889, 890, 1049, 1050, 1051,

1052, 1087, 1088, 1089, of the Code of Criminal Procedure of the State of Texas, and all laws and parts of laws in conflict with the provisions of this act,' passed at the first called session of the Twenty-second Legislature of the State of Texas, being chapter 16 of said acts."

Read third time, and passed by the following vote:

Yeas—15.

Agnew,	Darwin,
Bailey,	Dean,
Boren,	Goss,
Colquitt,	Harrison,
Presler,	Tips,
Rogers,	Whitaker,
Sherrill,	Woods,
Steele,	

Nays—7.

Atlee,	McComb,
Dibrell,	Shelburne,
Greer,	Smith,
Lewis,	

Absent, excused.

Dickson,	McKinney,
Lawhon,	

Absent, not excused.

Beall,	Lasker,
Bowser,	Simpson,
Gage,	Stafford,

Senator Atlee called up his motion to reconsider the vote by which the Senate refused to pass

House joint resolution No. 32, "A joint resolution amending article 6, section 2, of the Constitution of the State of Texas, requiring persons of foreign birth to declare their intention to become citizens of the United States twelve months before any election at which such persons may offer to vote."

Reconsidered.

Senator Atlee then moved to reconsider the vote by which Senator Dibrell's amendment (striking out twelve months and inserting six) was lost.

Reconsidered.

(President pro tem. Lewis in the chair.)

The amendment was then adopted by the following vote:

Yeas—19.

Agnew,	Greer,
Atlee,	Lewis,
Bailey,	Shelburne,
Boren,	Sherrill,
Bowser,	Simpson,
Colquitt,	Steele,
Darwin,	Tips,
Dean,	Whitaker,
Dibrell,	Woods,
Gage,	

Nays—4.

Goss,	Rogers,
Harrison,	Smith,

Absent, excused.

Dickson, McKinney.
Lawhon,

Absent, not excused.

Beall, Presler,
Lasker, Stafford.
McComb,

The resolution then passed by the following two-thirds vote:

Yeas—21.

Agnew,	Boren,
Atlee,	Colquitt,
Bailey,	Darwin,
Dean,	Presler,
Dibrell,	Rogers,
Gage,	Sherrill,
Goss,	Steele;
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.
McComb,	

Nays—4.

Lewis,	Simpson,
Shelburne,	Smith.

Absent, excused.

Dickson, McKinney.
Lawhon,

Absent, not excused.

Beall, Stafford.
Bowser,

Senator Dibrell moved to reconsider the vote by which the Senate refused to suspend the constitutional rule, in order to put House bill No. 623 (see caption above), on third reading and final passage.

Reconsidered.

The motion to suspend was again lost (not receiving four-fifths) by the following vote:

Yeas—21.

Agnew,	Harrison,
Atlee,	Lasker,
Bailey,	Lewis,
Beall,	McComb,
Boren,	Presler,
Bowser,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Whitaker,
Gage,	Woods.
Greer,	

Nays—6.

Colquitt,	Smith,
Goss,	Steele,
Rogers,	Tips.

Absent, excused.

Dickson, McKinney.
Lawhon,

Absent, not excused.

Stafford.

(Lieutenant Governor Jester in the chair).

By consent, the following report was sent up:

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your committee appointed to wait upon the Governor and inform him that the Twenty-fourth Legislature is now about to adjourn sine die. beg leave to report that they have performed that duty, and the Governor has informed them that he has no other communication to make to the Legislature.

SIMPSON,

BOWSER,

GAGE,

Committee.

On motion of Senator Lewis, regular order of business was suspended to take up

House bill No. 140, a bill to be entitled "An act to amend article 101a of the Revised Civil Statutes of the State of Texas, relative to insane convicts."

Bill read third time and passed.

Senator Lewis moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

HOUSE MESSAGE.

House of Representatives,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has passed the following resolution, to-wit:

Senate concurrent resolution relating to the appointment by the Governor of a committee of ten to represent the State of Texas at the exercises at the dedication of the Chickamauga and Chattanooga Military Park.

Also, that the House grants request of Senate to endorse and return engrossed copy of Senate bill No. 101.

Respectfully,

CHESTER HAILE, Chief Clerk.

Senator Colquitt called up

Senate bill No. 55, a bill entitled "An act to amend article 75 of chapter 1, of title 8, of the Revised Civil Statutes of the State of Texas,"

Which had been vetoed by the Governor. the question being, "Shall the bill pass notwithstanding the Governor's veto?"

The bill failed by the following vote:

Yeas—9.

Colquitt,	Dean,
Darwin,	Dibrell,

Goss,
Lewis.
Sherrill.

Smith,
Steele.

Nays—15.

Agnew,
Atlee,
Beall,
Boren,
Bowser,
Gage,
Greer,
Harrison,

Presler,
Rogers.
Shelburne,
Simpson,
Tips,
Whitaker,
Woods.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Bailey,
Lasker.

McComb,
Stafford.

Senator Steele called up the report of the Committee on Rules, relative to amending Senate rule No. 62.

Senator Rogers moved to postpone further consider of the resolution indefinitely.

Lost by the following vote.

Yeas—14.

Mr. President,
Atlee,
Bailey,
Boren,
Darwin,
Dean,
Dibrell,

Harrison,
Lasker,
Lewis,
Rogers,
Shelburne,
Simpson,
Tips.

Nays—13.

Agnew,
Beall,
Bowser,
Colquitt,
Gage,
Goss,
McComb,

Presler,
Sherrill,
Smith,
Steele.
Whitaker,
Woods.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Greer,

Stafford.

Senator Lewis moved to postpone further consideration till 11:59 to-day.

Postponed by the following vote:

Yeas—15.

Atlee,
Bailey,
Darwin,
Dean,
Dibrell,
Greer,
Harrison,
Lasker,

Lewis.
McComb,
Rogers,
Shelburne,
Sherrill,
Simpson,
Tips.

Nays—12.

Agnew,
Beall,

Boren,
Bowser,

Colquitt,
Gage,
Goss,
Presler,

Smith,
Steele.
Whitaker,
Woods.

Absent, excused.

Dickson,
Lawhon,

McKinney.

Absent, not excused.

Stafford.

The Chair gave notice of signing, and did sign after the caption had been read.

Substitute House bills Nos. 125 and 138, being "An act making appropriations for the support of the State government for the years beginning March 1, 1895, to February 28, 1897, and for other purposes."

The following communication was read:

DEPARTMENT OF STATE,
STATE OF TEXAS.

AUSTIN, April 30, 1895.

To the President of the Senate Twenty-fourth Legislature:

Sir—Complying with the terms of the concurrent resolution of the House of Representatives and the Senate of the Twenty-fourth Legislature, this day passed, and approved by his Excellency the Governor of Texas, I herewith return and place in your hands Senate bill No. 170, which was heretofore, on the 27th day of April, 1895, approved by the Governor, and received in this department on April 27, 1895.

Respectfully,

ALLISON MAYFIELD,
Secretary of State.

Senator McComb obtained the floor, and in behalf of the Senators, in an eloquent speech, presented an elegant silver service to Lieutenant-Governor Jester, who responded in a neat speech of thanks.

Senator Lewis obtained the floor and yielded the same to Page Master Herbert Compton, who in a voice choked with childish emotion, in trembling tones, in behalf of the pages of the Twenty-fourth Senate, presented an elegantly engraved gold locket to Lieutenant-Governor Jester, who expressed his appreciation in a few apt words.

Senator Rogers called up special committee report relative to the retention of certain officers after adjournment, etc., action being upon Senator Steele's amendment, to-wit:

Amend by striking out "ten" days, and insert "five" days for Sergeant-at Arms.

Lost by the following vote:

Yeas—6.

Agnew,
Beall,
Darwin,

Goss,
Smith,
Steele.

Nays—20.

Atlee.	Lewis,
Bailey,	McComb,
Boren,	Presler,
Bowser.	Rogers,
Colquitt,	Shelburne,
Dean,	Sherrill,
Dibrell,	Simpson,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.
	Absent, excused.
Dickson,	McKinney.
Lawhon,	
	Absent, not excused.
Gage.	Stafford.

By Senator Agnew:

Amend by striking out thirty-five days and insert forty days for Journal Clerk W. B. O'Quinn.

Adopted.

By Senator Colquitt:

Amend by inserting fifteen days instead of twelve days for Secretary.

Adopted.

By Senator Presler:

Amend by providing for retaining the Enrolling and Engrossing Clerks ten days.

Adopted.

By Senator Shelburne:

Amend by adding "and that the Sergeant-at-Arms be given charge of the room in the Capitol building known as the Sergeant-at-Arms' room during the recess and adjournment of the Senate for the purpose of retaining charge of and preserving the books, stationery, etc., of the Senate, with the consent of Superintendent of Public Buildings and Grounds."

By Senator Atlee:

Amend the amendment so as to authorize Journal Clerk to use the room now occupied by the Engrossing Clerk.

Adopted.

The amendment as amended was then adopted.

The committee report as amended was then adopted.

The following resolution was sent up:

By Senator Sherrill:

Be it resolved, That the thanks of the Senate, its officers and employes, be and the same are hereby extended to the citizens of Austin for the pleasant excursion on Lake McDonald on last Saturday.

Adopted.

The chair gave notice of signing, and did sign, after the caption had been read,

Senate bill No. 66, "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of Texas, as amended by the Twenty-third Legislature, chapter 83, page 109, relating to the purpose for which private corporations may be formed."

Senate bill No. 101, "An act to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, or either of them, and to prescribe a rule of evidence as to such relationship, and to further prescribe their duties and liabilities."

Senate bill No. 230, "An act to amend an act entitled 'An act to regulate the establishment of quarantine in the State of Texas, and in the counties, cities and towns thereof, and to repeal all laws in conflict therewith, approved April 28, 1891.'"

Senate bill No. 312, "An act to amend article 1784 of title 36, Revised Civil Statutes of Texas, relating to escheated estates."

Senate bill No. 300, "An act to amend sections 43 and 203 of an act incorporating the city of San Antonio, approved August 13, 1870, and all acts amendatory thereof, passed by the Twenty-second Legislature, being chapter 24 of said acts, and to add sections 203a and 203b thereto."

Senate bill No. 238, "An act making appropriations for registered and estimated deficiencies in the appropriations for the State government from March 1, 1893, to February 28, 1895, and for previous years."

Senate bill No. 175, "An act the better and more fully to promote the development of the mining resources of Texas, and to repeal all laws in conflict with the provisions of this act."

House bill No. 140, "An act to amend article 101a of the Revised Civil Statutes of the State of Texas, relating to insane convicts."

House bill No. 471, "An act to amend section 62 of an act entitled 'An act to organize the Court of Criminal Appeals of the State of Texas, to define the jurisdiction thereof, to prescribe the procedure therein, to fix the places and times of holding the terms of said court, to repeal articles 1064, 1065, 1066, 1067, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, of the Revised Civil Statutes of the State of Texas, to repeal articles 64, 65, 66, 67, 838, 840, 841, 843, 844, 845, 852, 853, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 876, 877, 878, 879, 880, 881, 882, 883, 885, 887, 888, 889, 890, 1049, 1050, 1051, 1052, 1087, 1088, 1089, of the Code of Criminal Procedure of the State of Texas, and all laws and parts of laws in conflict with the provisions of this act,' passed at the first called session of the Twenty-second Legislature of the State of Texas, being chapter 16 of said acts."

House joint resolution No. 32, "A joint

resolution amending article 6, section 2, of the Constitution of the State of Texas, requiring persons of foreign birth to declare their intentions to become citizens of the United States twelve months before any election at which such persons may offer to vote."

House bill No. 270, "An act to provide for the levy and collection of an annual ad valorem State tax for general revenue purposes of twenty cents on the one hundred dollars valuation."

Following resolutions were submitted:

By Senator Agnew:

Resolved, That the thanks of the Senate are hereby extended to Lieutenant-Governor Geo. T. Jester, President of this body, for his uniform kindness, courtesy and fairness, and for the ability, justice and sound judgment that has characterized his course as such presiding officer.

Adopted.

By Senator Agnew:

Resolved, That the thanks of the Senate are hereby extended to the Hon. Perry J. Lewis for the able, dignified and impartial manner in which he has presided over the Senate when called to the chair as President pro tem. of this body.

Adopted.

By Senator Bowser:

Resolved, That the thanks of the Senate be extended the press of the State for its uniform courtesies and full reports of the proceedings of the Twenty-fourth Legislature.

Adopted.

Senator Lewis, in a few happy and appropriate remarks, nominated Senator Woods as President pro tem. of the Senate for the ensuing two years.

Senator Woods was elected by the following vote:

Yeas—22.

Agnew,	Lasker,
Atlee,	Lewis,
Bailey,	McComb,
Boren,	Presler,
Bowser,	Rogers,
Colquitt,	Shelburne,
Darwin,	Sherrill,
Dean,	Simpson,
Dibrell,	Smith,
Gage,	Steele,
Harrison,	Whitaker.

Nays—none.

Present, not voting.

Woods.

Absent, excused.

Dickson.	McKinney.
Lawhon,	

Absent, not excused.

Beall,	Stafford,
Goss,	Tips.
Greer,	

Senator Woods, in feeling and appropriate remarks, acknowledged the honor conferred upon him.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate concurrent resolution No. 26, asking the Secretary of State to return to the Senate Senate bill No. 170 in order that same may be presented to the Speaker of the House of Representatives for his signature.

And find the same correctly enrolled, and have this day, at 10:30 a. m., presented the same to the Governor for his approval.

BEALL, Acting Chairman.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 170, "An act to amend an act entitled 'An act to amend article 1054, chapter 2, title 15, of the Code of Criminal Procedure, as amended by an act of the Twenty-first Legislature, approved April 4, 1889,' constituting chapter 93, general laws of the State of Texas, 1891,"

And find the same correctly enrolled, and have this day, at 11:20 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 175, being "An act the better and more fully to promote the development of the mining resources of Texas, and to repeal all laws in conflict with the provisions of this act,"

And find the same correctly enrolled, and have this day, at 11:05 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 66, "An act to amend article 566, chapter 2, title 20, of the Revised Civil Statutes of the State of

Texas, as amended by the Twenty-third Legislature, chapter 83, page 109, relating to the purposes for which private corporations may be formed."

And find the same correctly enrolled, and have this day at 11:05 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 101, "An act to further define connecting lines of common carriers, their relationship to each other and to those dealing with them, or either of them, and to prescribe the rules of evidence as to such relationship, and to further prescribe their duties and liabilities,"

And find the same correctly enrolled, and have this day, at 11:05 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 300, being "An act to amend sections 43 and 203 of an act incorporating the City of San Antonio, approved August 13, 1870, and of the acts amendatory thereof, passed by the Twenty-second Legislature, being chapter 24 of said acts, and to add sections 203a and 203b thereto,"

And find the same correctly enrolled, and have this day, at 11:05 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room,
Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 230, being "An act to amend sections 3 and 10 of an act entitled 'An act to regulate the establishment of quarantine in the State of Texas, and in the counties, cities and towns thereof, and to repeal all laws and parts of laws in conflict therewith,' approved April 29, 1891."

And find the same correctly enrolled, and have this day at 11:05 a. m. presented the same to the Governor for his approval.

GREER, Chairman.

44—Senate

Committee Room.

Austin, Texas. April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 238, being "An act making appropriations for registered and estimated deficiencies in the appropriations for the State Government from March 1, 1893, to February 28, 1895, and for previous years,"

And find the same correctly enrolled, and have this day, at 11:05 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Committee Room.

Austin, Texas, April 30, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 312, "An act to amend article 1784 of title 36 Revised Civil Statutes of Texas, relating to escheated estates,"

And find the same correctly enrolled, and have this day, at 11:05 a. m., presented the same to the Governor for his approval.

GREER, Chairman.

Senator Rogers called up Senator Steele's motion to reconsider the vote by which the Senate concurred in House amendments to

Senate bill No. 171, a bill to be entitled "An act to amend articles 423, 424, 425, 426, 427, 428, 429 of the Penal Code of the State of Texas, and the several acts of the Legislature amendatory thereof, and adding 425a, 425b, 425c, 426a, 428a, 429a, 429b, 429c, 429d, 429e, 429f, 429g, 429h, 429i, 429j, 429k, and 429l, and to repeal all laws and parts of laws in conflict herewith,"

And moved to table same.

Tabled.

(It being stated to the Senate that the House amendments were so numerous and incoherent and the time too short; the bill was not enrolled.)

Senator Simpson called up

Senate bill No. 247, being a bill to be entitled "An act providing for the amendment of article 2971 of the Revised Statutes of the State of Texas."

Action being upon final passage.

Bill read third time and passed.

The Chair submitted the following:

Gentlemen of the Senate:

The hour has arrived when the present session of the Twenty-fourth Legislature must come to a close. Its acts will be engrafted into and become a part of the

organic law of the State, and by these acts it will be judged.

Assembled at a time when a peculiar state of unrest and discontent pervaded the people, caused largely by a wide dissatisfaction over national issues; by the low price—the lowest for fifty years—of our chief product, cotton; by the disastrous effects on the live stock interests of the drought in the West; by an empty treasury, and a large deficiency, our path of duty did not indeed lay in pleasant places. However, this Legislature has placed upon our statutes 141 laws, and has considered in committee 1059 bills, and while it would be unreasonable to suppose that every law necessary to the welfare of this great State has been enacted during this session, and that you have not passed some laws which it might have been the better part of wisdom to have left unpassed, still a retrospective view of your work as a whole can not fail to show that you have labored faithfully. Probably the most laborious, and certainly not the least service that has been rendered the State, is in the many bills that have been considered and defeated in committees, and on the floor of the Senate and House. To my mind, it is a serious error to suppose, as do some, that it is the duty of every Legislature to re-enact an entirely new Civil and Criminal Code at each session. Existing laws that are satisfactory and whose constitutionality has been passed upon by the higher courts should not be changed without good and sufficient cause. While it has been found necessary to increase the State ad valorem tax from 15 cents to 22½ cents, and the State school tax from 12½ to 20 cents on the \$100, it is not due to the ruthless expenditure and extravagance of former administrations, but simply to an insufficient tax for the last four years, in addition to a failure to collect in certain portions of the State taxes and interest on land notes which would have augmented the general and available school funds. A deficiency would have been averted in the general fund had the ad valorem tax remained during Governor Hogg's administration at twenty cents, which was not a high tax, as a comparison of our State tax for the past twenty years will evidence.

The Democratic party has at all times administered economically our State government with the tax rate as low as the exigencies of good government would permit, and our present necessarily high tax is as low as that of any other Southern State.

For the four years succeeding the administration of E. J. Davis, during the

administrations of Coke and Hubbard, it was necessary to levy an average State tax for all purposes of fifty cents on the one hundred dollars. During the administration of Governor Roberts, the tax rate averaged forty-three cents on the one hundred dollars; during that of Governor Ireland, thirty-seven and one-half cents; during that of Governor Ross thirty-five cents, and during that of Governor Hogg twenty-eight cents. It will be noticed that a gradual decline of taxes has resulted since 1874, but the Twenty-third Legislature made a signal mistake, which has since become patent to all, in that they did not increase this tax, and thereby avoid a deficit.

Mississippi has a State tax of sixty cents; Georgia of forty-three and one-half cents; North Carolina forty-one and one-third cents; Alabama sixty cents; Louisiana sixty cents; Florida fifty-seven and one-half cents; and Arkansas fifty cents. Hence it will be seen that this Legislature has not imposed a high tax compared with that of our sister Southern States.

The need of Texas is to be freed from too much restrictive legislation; to be unfettered and unshackled from laws which tend to retard her growth and check her prosperity. As the sick patient requires only that amount of physic necessary to clothe nature with full control of the human body, so does our State require only those laws necessary to give nature full sway and allow her to work out her own destiny in making this the grandest and greatest State in the Union. What Texas requires is more business legislation and less political legislation. Let us have peace, push and progress, and then we can not but have prosperity.

Let us hope that the Democratic party, which has had almost complete control of the State since the dawn of the Republic, will not now divide upon national issues, which should be relegated to the realm of federal politics, and by its division allow a party to come into power whose domination will humiliate us in the eyes of the nation, and retard the State in its development at least a decade. Rather let us stand united on State affairs, and mindful of a glorious past, and expectant of a more glorious future, work in unison for the upbuilding and development of our great commonwealth.

The hour fixed by the concurrent resolution for the Legislature to adjourn sine die having arrived, the Chair declared the Twenty-fourth Senate adjourned sine die.